Saturday, April 21,1962
Vaisakha 1, 1884 (Saka)

LOK SABHA DEBATES

Third Series
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LOK SABHA

Alphabetical List of Members

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Abdur Rashid, Bakhshi (Jammu and Kashmir).

Achal Singh, Seth (Agra).

Achuthan, Shri R. (Mavelikara).

Akkamma Devi, Shrimati (Nilgiris).

Alagesan, Shri O. V. (Chingleput).

Alva, Shri A. Shanker (Mangalore).

Alva, Shri Joachim (Kanara).

Aney, Dr. M. S. (Nagpur).

Anjanappa, Shri B. (Nellore).

Ankineedu, Shri Maganti (Gudivada).

Anthony, Shri Frank (Nominated—Anglo-Indians).

Arunachalam, Shri N. (Ramanathapuram).

Ayyangar, Shri M. Ananthasayanam (Chittoor).

Azad, Shri Bhagwat Jha (Bhagalpur).

B

Babunath Singh, Shri (Surguja).

Bade, Shri Ramchandra Vithal (Khargone).

Badrudduja, Shri (Murshidabad).

Bagri, Shri Mani Ram (Hissar).

Bajaj, Shri Kamalnayan (Wardha).

Bakliwal, Shri Mohanlal (Durg).

Bal Krishna Singh, Shri (Chandauli).

Balakrishnan, Shri S. C. (Koilpatti).

Balmiki, Shri K. L. (Khurja).

B—contd.

Banerjee, Shri S. M. (Kanpur).

Banerji, Dr. R. (Bankura).

Baria, Shri Hirabhai Kunverabhai (Dohad).

Barkataki, Shrimati Renuka Devi (Barpeta).

Barrow, Shri A. E. T. (Nominated—Anglo-Indians).

Barua, Shri Hem (Gauhati).

Barua, Shri Rajendranath (Jorhat).

Barupal, Shri Panna Lal (Ganganagar).

Basant Kuwari, Shrimati (Kaisarganj).

Basappa, Shri C. R. (Tiptur).

Basu, Shri G. (Burdwan).

Basumatari, Shri D. (Goalpara).

Baswant, Shri Sonubhau Dagadu (Thana).

Bateshwar Singh, Shri (Giridih).

Berwar, Shri Unkarlal (Kotah).

Besra, Shri Satyacharan (Dumka).

Bhagabati, Shri Bijoy Chandra (Darrang).

Bhagat, Shri Baliram (Shahabad).

Bhakt Darshan, Shri (Garhwal).

Bhanja Deo, Shri Laxminarayan (Keonjhar).

Bhanu Prakash Singh, Shri (Rajgarh).

Bhargava, Shri M. B. L. (Ajmer).

Bhatkar, Shri Laxmanrao Shrawanji (Khamgaon).

Bhattacharyya, Shri C. K. (Raiganj).

B—contd.

Bhattacharya, Shri Dinen (Serampore).

Bhawani, Shri Lakhmu (Bastar).

Biren Dutta, Shri (Tripura West).

Birendra Bahadur Singh, Shri (Rajnandgaon).

Bist, Shri Jang Bahadur Singh (Almora).

Borooah, Shri Prafulla Chandra (Sibsagar).

Brahm Prakash, Choudhuri (Outer Delhi).

Brahmjeet, Shri (Jaunpur).

Brajeshwar Prasad, Shri (Gaya).

Braj Basi Lal, Shri (Faizabad).

Brij Raj Singh, Maharajkumar (Jhalawar).

Brij Raj Singh, Shri (Bareilly).

Buta Singh, Shri (Moga).

C

Chakravartty, Shrimati Renu (Barrackpore).

Chakravarti, Shri P. R. (Dhanbad).

Chanda, Shrimati Jyotsna (Cachar).

Chandak, Shri B. L. (Chhindwara).

Chandrasekhar, Shrimati M. (Mayuram).

Chandriki, Shri Jagannathrao Venkatarao (Raichur).

Chatterjee, Shri H. P. (Nabadwip).

Chaturvedi, Shri S. N. (Firozabad).

Chaudhary, Shri Yudhvir Singh (Mahendragarh).

Chaudhry, Shri Chandramani Lal (Mahua).

Chaudhuri, Shri Digambar Singh (Mathura).

Chaudhuri, Shri Sachindra Nath (Ghatal).

Chaudhuri, Shri Tridib Kumar (Berhampur).

Chaudhuri, Shrimati Kamala (Hapur).

Chavda, Shrimati Zohraben (Banaskantha).

Chavan, Shri D. R. (Karad).

Chettiar, Shri R. Ramanathan (Karur).

Chuni Lal, Shri (Ambala).

D

Dafle, Shri Vijayasinhrao Pamrao (Miraj).

Daji, Shri Homi F. (Indore).

Daljit Singh, Shri (Una).

Das, Dr. Mono Mohon (Ausgram).

Das, Shri Basanta Kumar (Contai).

Das, Shri Nayantara (Jamui).

Das, Shri Sudhansu Bhushan (Diamond Harbour).

Dasappa, Shri H. C. (Bangalore).

Dasaratha Deb, Shri (Tripura East).

Dass, Shri C. (Tirupathi).

Datar, Shri B. N. (Belgaun).

Deo, Shri P. K. (Kalahandi).

Deo, Shri Vijaya Bhushan Singh (Raigarh).

Deo Bhanj, Shri P. C. (Bhubaneswar).

Desai, Shri Morarji (Surat).

Deshmukh, Dr. Punjabrao S. (Amravati).

Deshmukh, Shri B. D. (Aurangabad).

Deshmukh, Shri Shivaji Rao Shankar Rao (Parbhani).

Deshpande, Shri Govind Hari (Nasik).

Dey, Shri S. K. (Nagaur).

Dhaon, Shri B. K. (Lucknow).

Dharmalingam, Shri R. (Tiruvannamalai).

Dhebar, Shri U.N. (Rajkot).

Dhuleshwar Meena, Shri (Udaipur).

Dighe, Shri Bhaskar Narayan (Kolaba).

Dinesh Singh, Shri (Salon).

Dixit, Shri G. N. (Etawah).

Dube, Shri Mulchand (Farrukhabad).

Dubey, Shri Rajaram Giridharilal (Bijapur North).

Dwivedi, Shri Mannoo Lal (Hamirpur).

Dwivedi, Shri Surendranath (Kendrapara).

E

Elayaperumal, Shri L. (Tirukoilur).

Elias, Shri Mohammad (Howrah).

Ering, Shri D. (Nominated—North East Frontier Tract).

F

Firodia, Shri Motilal Kundanmal (Ahmednagar).

G

Gaekwad, Shri Fatehsinhrao Pratapsinhrao (Baroda).

Gahmari, Shri Vishwanath Singh (Ghazipur).

Gajraj Singh, Shri (Gurgaon).

Ganapati Ram, Shri (Machhlishahr).

Gandhi, Shri V. B. (Bombay City Central South).

Ganga Devi, Shrimati (Mohanlalganj).

Gauri Shanker, Shri (Fatehpur).

Gayatri Devi, Shrimati (Jaipur).

Ghosh, Shri Atulya (Asansol).

Ghosh, Shri N. R. (Jalpaiguri).

Ghosh, Shri P. K. (Ranchi East).

Ghyasuddin Ahamad, Shri (Dubri).

Gokaran Prasad, Shri (Misrikh).

Gopal Dutt, Shri (Jammu and Kashmir).

Gopalan, Shri A. K. (Kasergod).

Gounder, Shri R. Muthu (Tiruppattur).

Govind Das, Dr. (Jabalpur).

Guha, Shri Arun Chandra (Barasat).

Gulshan, Shri Dhanna Singh (Bhatinda).

Gupta, Shri Badshah (Mainpuri).

Gupta, Shri Indrajit (Calcutta South West).

Gupta, Shri Kashi Ram (Alwar).

Gupta, Shri Priya (Katihar).

Gupta, Shri Ram Ratan (Gonda).

Gupta, Shri Shiv Charan (Delhi Sadar).

H

Hajarnavis, Shri R. M. (Bhandara).

Hansda, Shri Subodh (Jhargram).

Hanumanthiah, Shri K. (Bangalore City).

Haq, Shri M. M. (Akola).

Harvani, Shri Ansar (Bisauli)

Hazarika, Shri J. N. (Dibrugarh).

Heda, Shri Harish Chandra (Nizamabad).

Himatsingka, Shri Prabhu Dayal (Godda).

Himmatsinghji, Shri (Kutch).

Hukam Singh, Shri (Patiala).

I

Imbichibava, Shri E. K. (Ponnani).

Iqbal Singh, Shri (Ferozepur).

Ismail, Shri M. Muhammad (Manjeri).

J

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Jadhav, Shri Tulshidas (Nanded).

Jagdev Singh, Shri (Jhajjar).

Jagjivan Ram, Shri (Sasaram).

Jaipal Singh, Shri (Ranchi West).

Jamir, Shri Chubatoshi (Nominated—Naga Hills Tuensang Area).

Jamunadevi, Shrimati (Jhabua).

Jayaraman, Shri A. (Wandiwash).

Jedhe, Shri Gulabrao Keshavrao (Baramati).

Jena, Shri Kanhu Charan (Bhadrak).

Jha, Shri Yogendra (Madhubani).

Joshi, Shri Anand Chandra (Sidhi).

Joshi, Shrimati Subhadra (Balrampur).

Joti Saroop, Shri (Hathras).

Jyotishi, Pandit Jwala Prasad (Sagar).

K

Kabir, Shri Humayun (Basirhat).

Kachhavaiya, Shri Hukam Chand (Dewas).

Kadadi, Shri Madeppa Bandappa (Sholapur).

K—contd.

Kajrolkar, Shri Sadoba Narayan (Bombay City Central North).

Kamath, Shri Hari Vishnu (Hoshangabad).

Kamble, Shri T. D. (Latur).

Kanakasabai, Shri R. (Chidambaram).

Kanungo, Shri Nityanand (Cuttack).

Kappen, Shri Cherian J. (Muvattupuzha).

Kapur Singh, Shri (Ludhiana)

Kar, Shri Prabhat (Hooghly).

Karjee, Shri Debendra Nath (Cooch Behar).

Karni Singhji, Shri (Bikaner).

Karuthiruman, Shri P. G. (Gobichettipalayam).

Kayal, Shri Paresh Nath (Joynagar).

Kedaria, Shri Chhaganlal (Mandvi).

Keishing, Shri Rishang (Outer Manipur).

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Kesar Lal, Shri (Sawai Madhopur).

Khadilkar, Shri R. K. (Khed).

Khan, Dr. Purnendu Narayan (Uluberia).

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Khan, Shri Shahnawaz (Meerut).

Khanna, Shri Mehr Chand (New Delhi).

Khanna, Shri Prem Kishan (Kaimganj).

Kindar Lal, Shri (Hardoi).

Kisan Veer, Shri (Satara).

Kohar, Shri Rajendra (Phulbani).

Kotoki, Shri Liladhar (Nowgong).

Koya, Shri C. H. Mohammed (Kozhikode).

Kripa Shanker, Shri (Domariaganj).

Krishna, Shri M. R. (Paddapalli).

Krishnamachari, Shri T. T. (Tiruchendur).

Krishanpal Singh, Shri (Jalesar).

Kumaran, Shri M. K. (Chirayinkil).

Kunhan, Shri P. (Palghat).

Kureel, Shri Baij Nath (Rae Bareili).

L

Lahri Singh, Shri (Rohtak).

Lakhan Dass, Shri (Shahjahanpur).

Lakshmikanthamma, Shrimati T. (Khammam).

Laskar, Shri Nihar Ranjan (Karimganj).

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Laxmi Dass, Shri (Miryalguda).

Lonikar, Shri R. N. Yadav (Jalna).

M

Mahadeo Prasad, Shri (Bansgaon).

Mahadeva Prasad, Dr. (Maharajganj).

Mahanand, Shri Hruchikesh (Bolangir).

Mahato, Shri Bhajahari (Purulia).

Mahida, Shri Narendrasinh Ranjitsinh (Anand).

Mahtab, Shri Hare Krushna (Angul)

Maimoona Sultan, Shrimati (Bhopal)

Majithia, Sardar Surjit Singh (Taran Taran)

Malaichami, Shri M. (Periyakulam).

Malaviya, Shri Keshav Dev (Basti).

Malhotra, Shri Inder J. (Jammu and Kashmir)

Malik, Shri R. C. (Jajpur).

Malliah, Shri U. Srinivasa (Udipi)

Manaen, Shri T. (Darjeeling).

Mandal, Dr. Pashupati (Vishnupur).

Mandal, Shri Bhupendra Narayan (Saharsa).

Mandal, Shri Jiyalal (Khagaria).

Mandal, Shri Y. P. (Jainagar).

Maniyangadan, Shri Mathew (Kottayam).

M—contd.

Manoharan, Shri K. (Madras South).

Mantri, Shri Dwarkadas (Bhir).

Marandi, Shri Iswar (Rajmahal).

Maruthiah, Shri P. (Melur).

Masuriya Din, Shri (Chail).

Matcharaju, Shri M. (Narasipatnam).

Mate, Shri Kure (Tikamgarh).

Mathur, Shri Harish Chandra (Jalore).

Maurya, Shri B. P. (Aligarh).

Mehdi, Shri S. Ahmad (Rampur).

Mehrotra, Shri Braj Behari (Bilhaur).

Mehta, Shri Jaswantraj (Pali).

Mehta, Shri Jashvantrai N. (Bhavnagar).

Melkote, Dr. G. S. (Hyderabad).

Menon, Shri Panampilli Govinda (Mukundapuram).

Menon, Shri V. K. Krishna (Bombay City North).

Minimata, Shrimati Agamadas Guru (Baloda Bazar).

Mirza, Shri Bakar Ali (Warrangal)

Mishra, Shri Bibudhendra (Puri).

Mishra, Shri Bibhuti (Motihari).

Mishra, Shri Mathura Prasad (Begusarai).

Misra, Dr. Udaikar (Jamshedpur).

Misra, Shri Mahesh Dutta (Khandwa).

Misra, Shri Shyam Dhar (Mirzapur).

Moman Swaroop, Shri (Pilibhit).

Mohanty, Shri Gokulanand (Balasore).

Mohiuddin, Shri Ahmed (Secunderabad).

Mohsin, Shri F. H. (Dharwar South).

Morarka, Shri Radhyshyam Ramkumar (Jhunjhunu).

More, Dr. Krishnaji Laxman (Hatkanangle).

More, Shri Shankarrao Shantaram (Poona).

Mukane, Shri Yeshwantrao Martandrao (Bhiwandi).

Mukerjee, Shri H. N. (Calcutta Central).

M—contd.

Mukerjee, Shrimati Sharda (Ratnagiri).

Munzni, Shri David (Lohardaga).

Murli Manohar, Shri (Balia).

Murmu, Shri Sarkar (Balurghat).

Murthy, Shri B. S. (Amalapuram).

Murti, Shri M. S. (Anakapalle).

Musafir, Shri Gurmukh Singh (Amritsar).

Muthiah, Shri P. (Tirunelveli).

Muzaffar Husain, N. Shri (Moradabad).

Naidu, Shri V. Govindasamy (Tiruvallur).

Naik, Shri D. J. (Panchmahals).

Naik, Shri Maheswar (Mayurbhanj).

Nair, Shri N. Sreekantan (Quilon).

Nair, Shri P. K. Vasudevan (Ambalapuzha).

Nallakoya, Shri Koyilat (Nominated—Laccadive, Minicoy and Amindivi Islands).

Nambiar, Shri Ananda (Tiruchirapalli).

Nanda, Shri Gulzarilal (Sabarkantha).

Narayanaswamy, Shri Madala (Ongole).

Naskar, Shri P. S. (Mathurapur).

Natarajan, Shri P. S. (Trivandrum).

Nath Pai, Shri (Rajapur).

Nayak, Shri Mohan (Bhanjanagar).

Nayar, Dr. Sushila (Jhansi).

Nehru, Shri Jawaharlal (Phulpur).

Nesamony, Shri A. (Nagercoil).

Nigam, Shrimati Savitri (Banda).

Niranjan Lal, Shri (Nominated—Andaman and Nicobar Islands).

O

Omkar Singh, Shri (Budaun).

Oza, Shri Ghanshyamlal (Surendranagar).

P

Paliwal, Shri Tika Ram (Hindaun).

Pande, Shri Kashi Nath (Hata).

Pandey, Shri R. S. (Guna).

P—contd.

Pandey, Shri Sarjoo (Rasra).

Pandey, Shri Vishwa Nath (Salempur).

Panna Lal, Shri (Akbarpur).

Pant, Shri K. C. (Naini Tal).

Paradhi, Shri Bholaram (Balaghat).

Parashar, Shri V. C. (Shivpuri).

Paramasivan, Shri S. K. (Erode).

Patel, Shri Chudaman Ananda (Dhulia).

Patel, Shri Chootubhai M. (Broach).

Patel, Shri Man Singh P. (Mehsana).

Patel, Shri Nanubhai N. (Bulsar).

Patel, Shri Purushottamdas R. (Patan).

Patel, Shri Rajeshwar (Hajipur).

Patil, Shri Deorao Shioram (Yeotmal).

Patil, Shri J. S. (Jalgaon).

Patil, Shri Madhaorao Bhagwantrao (Ramtek).

Patil, Shri S. B. (Bijapur South).

Patil, Shri S. K. (Bombay City South).

Patil, Shri T. A. (Osmanabad).
bad).

Patil, Shri Vasantrao Lakhagounda (Chikodi).

Patil, Shri V. T. (Kolhapur).

Patnaik, Shri Baishnab Charan (Dhenkanal).

Patnaik, Shri Kisan (Sambalpur).

Pattabhi Raman, Shri C. R. (Kumbakonam).

Pottekatt, Shri S. K. (Tellicherry).

Prabhakar, Shri Naval (Delhi Karol Bagh).

Prithvi, Raj, Shri (Dausa).

Puri, Shri D. D. (Kaithal).

R

Raghavan, Shri A. V. (Badagara).

Raghunath Singh, Shri (Varanasi).

Raghuramaiah, Shri K. (Guntur).

Rahman, Shri Hifzur (Amroha).

R—contd.

Rai, Shrimati Sahodra Bai (Damoh).

Raj Bahadur, Shri (Bharatpur).

Raja Shri Chittaranjan (Junagadh).

Rajaram, Shri K. (Krishnagiri).

Raju, Shri D. Balarama (Narasapur).

Raju, Shri D. S. (Rajahmundry).

Rajyalaxmi, Shrimati Lalit (Aurangabad).

Ram Dulari Devi, Shrimati (Patna).

Ram Sewak, Shri (Jalaun).

Ram Singh, Shri (Bahraich).

Ram Subhag Singh, Dr. (Bikramganj).

Ram Swarup, Shri (Robertsganj).

Ramabadran, Shri T. D. (Cuddalore).

Ramakrishan, Shri P. R. (Coimbatore).

Ramaswamy, Shri S. V. (Salem).

Ramaswamy, Shri V. K. (Namakkal).

Ramdhani Das, Shri (Nawada).

Rameshwaranand, Swami (Karnal).

Rampure, Shri Mahadevappa (Gulbarga).

Rananjai Singh, Shri (Musafirkhana).

Rane, Shri Shivram Rango (Buldana).

Ranga Rao, Shri R. V. G. K. (Cheepurupalli).

Ranjit Singh, Shri (Sangrur).

Rao, Shri P. Hanmanth (Medak).

Rao, Shri J. Ramapathi (Karimnagar).

Rao, Shri Jaganatha (Nowrangpur).

Rao, Shri S. V. Krishnamoorthy (Shimoga).

Rao, Shri K. L. (Vijayawada).

Rao, Shri E. Madhusudan (Mahbubabad).

Rao, Shri J. B. Muthyal (Mahbubanagar).

Rao, Shri B. Rajagopala (Srikakulam).

Rao, Shri J. Rameshwar (Gadwal).

Rao, Shri M. Thirumala Rao (Kakinada).

R—contd.

Rattan Lal, Shri (Banswara).

Raut, Shri Bhola (Bettiah).

Rawandale, Shri Chudaman Ananda (Dhulia).

Ray, Shrimati Renuka (Malda).

Reddi, Dr. B. Gopala (Kavali).

Reddi, Shri Ravi Narayan (Nalgonda).

Reddiar, Shri R. V. (Tindivanam).

Reddy, Shri C. L. Narasimha (Rajampet).

Reddy, Shri G. Narayan (Adilabad).

Reddy, Shri G. Yallamanda (Markapur).

Reddy, Shri K. C. (Chikballapur).

Reddy, Shri K. V. Ramakrishna (Hindupur).

Reddy, Shri Y. Eswara (Cuddapah).

Reddy, Shrimati Yashoda (Kurnool).

Roy, Dr. Sardish (Katwa).

Roy, Shri Biswanath (Deoria).

S

Sadhu Ram, Shri (Phillaur).

Saha, Dr. Sisir Kumar (Birbhum).

Sahu, Shri Rameshwar (Rosera).

Saigal, Shri Amar Singh (Janjgir).

Samanta, Shri S. C. (Tamluk).

Samnani, Shri Nazir Hussain (Jammu and Kashmir).

Sanji Rupji, Shri (Nominated—Dadra and Nagar Haveli).

Saraf, Shri Shyam Lal (Jammu and Kashmir).

Sarma, Shri A. T. (Chatrapur).

Sarojini Bindurao, Shrimati Mahishi (Dharwar North).

Satya Prakash, Shri (Bilaspur).

Satyabhama Devi, Shrimati (Jahanabad).

Satyanarayana, Shri Biddika (Parvathipuram).

Scindia, Shrimati Vijaya Raje (Gwalior).

Sen, Dr. Ranendra Nath (Calcutta East).

S—contd.

Sen, Shri Ashoke K. (Calcutta North West).

Sen, Shri Phani Gopal (Purnea).

Seth, Shri Bishanchandar (Etah).

Sezhiyan, Shri Era (Perambalur).

Shah, Shri Manabendra (Tehri Garhwal).

Shah, Shri Manubhai (Jamnagar).

Shah, Shrimati Jayaben (Amreli).

Shakuntala Devi, Shrimati (Banka)

Sham Nath, Shri (Delhi—Chandni Chowk).

Shankaraiya, Shri M. (Mysore).

Sharma, Shri Anand Prasad (Buxar).

Sharma, Shri Diwan Chand (Gurdaspur).

Sharma, Shri K. C. (Sardhana).

Shashank Manjari, Shrimati (Palamau).

Shastri, Shri Lal Bahadur (Allahabad).

Shastri, Shri Prakash Vir (Bijnor).

Shashi Ranjan, Shri (Pupri).

Shastri, Shri Rama Nand (Ramasanehighat).

Sheo Narain, Shri (Bansi).

Shinde, Shri Annasaheb (Kopargaon).

Shivananjappa, Shri M. K. (Mandya).

Shree Narayan Das, Shri (Darbhanga).

Shrimali, Dr. K. L. (Bhilwara).

Shukla, Shri Vidya Charan (Mahasamund).

Shyamshah, Shri Lal (Chanda).

Siddananjappa, Shri H. (Hassan).

Siddiah, Shri S. M. (Chamarajanagar).

Sidheshwar Prasad, Shri (Nalanda).

Singh, Dr. Basant Narain (Hazaribagh).

Singh, Shri Ajit Pratap (Pratapgarh).

Singh, Shri Digvijaya Narain (Muzaffarpur).

Singh, Shri Jai Bahadur (Ghosi).

Singh, Shri Krishna Kanta (Maharajganj).

S—contd.

Singh, Shri Ramsekhar Prasad (Chapra).

Singh, Shri Surendra Pal (Bulandshhr).

Singh, Shri Yuvraj Dutta (Shahabad).

Singha, Shri Gobinda Kumar (Midnapore).

Singha, Shri Yagnya Narayan (Sundergarh).

Singhvi, Dr. L. M. (Jodhpur).

Sinha, Shri Banarsi Prasad (Monghyr).

Sinha, Shri Satya Narayan (Samastipur).

Sinha, Shrimati Tarkeshwari (Barh).

Sinhasan Singh, Shri (Gorakhpur).

Sivasankaran, Shri P. (Sriperumbudur).

Solanki Shri Pravinsinh Natavarsinh (Kaira).

Sonavane, Shri T. H. (Pandharpur).

Soundaram Ramachandran, Shrimati T. S. (Dindigul).

Soy, Shri Hari Charan (Singhbhum).

Srinivasan, Dr. P. (Madras North).

Subharaman, Shri N. M. R. (Madurai).

Subramaniam, Shri C. (Pollachi).

Subramanyam, Shri Tekur (Bellary).

Sumat Prasad, Shri (Muzaffarnagar).

Sunder Lal, Shri (Saharanpur).

Surya Prasad, Shri (Bhind).

Swamy, Shri M. P. (Tenkasi).

Swamy Shri Shivamurthy Siddappa (Koppal).

Swaran Singh, Shri (Jullundur).

Swell, Shri G. G. (Assam—Autonomous Districts).

T

Tahir, Shri Mohammad (Kishanganj).

Tan Singh, Shri (Barmer).

Tantia, Shri Rameshwarlal (Sikar).

Thengondar, Shri Gopalsamy (Nagapattinam).

T—contd.

Thevar, Shri U. Muthuramalinga (Aruppukottai).

Thevar, Shri V. Vairava (Thanjavur).

Thimmaiah, Shri Dodda (Kolar).

Thomas, Shri A. M. (Ernakulam).

Tiwary, Shri Dwarka Nath (Gopalganj).

Tiwari, Shri Kamal Nath (Bagaha).

Tiwary, Shri Ram Sahai (Khajuraho).

Tombi, Shri Salam (Inner Manipur).

Tripathi, Shri Krishna Deo (Unnao).

Trivedi, Shri Uma Shankar (Mandsaur).

Tula Ram, Shri (Chatampur).

Tulmohan Ram, Shri (Sonbarsa).

Tyagi, Shri Mahavir (Dehra Dun).

U

Uikey, Shri M. G. (Mandla).

Ulaka, Shri Ramachandra (Koraput).

Umanath, Shri R. (Pudukkottai).

Upadhyaya, Shri Shiva Dutt (Rewa).

Utiya, Shri Buddhu Singh (Shahdol).

V

Vaishya, Shri Muldas Bhudardas (Sabarmati).

Valvi, Shri Laxman Vedu (Nandurbar).

Varma, Shri Manikyalal (Chittorgarh).

Varma, Shri Ravindra (Thiruvalla).

Veerabasappa, Shri S. (Chitradurga).

Veerappa, Shri Ramchander (Bidar).

Venkaiah, Shri Kolla (Tenali).

Venkatasubbaiah, Shri Pendekanti (Adoni).

Venkataswamy, Shri Mandala (Masulipatnam).

Verma, Shri Balgovind (Kheri).

Verma, Shri Krishna Kunwar (Sultanpur).

Verma, Shri Suraj Lal (Sitapur).

Vidyalankar, Shri Amar Nath (Hoshiarpur).

V—contd.

Vijaya Ananda, Maharajkumar (Visakhapatnam).

Vijaya Raje, Shrimati (Chatra).

Vimla Devi, Shrimati V. (Eluru).

Vishram Prasad, Shri (Lalganj).

Vyas, Shri Radhelal (Ujjain).

W

Wadiva, Shri N. M. (Seoni).

Wahid, Shri T. Abdul (Vellore).

Warior, Shri K. K. (Trichur).

Wasnik, Shri Balkrishna (Gondia).

Y

Yadab, Shri Nagendra Prasad (Sitamarhi).

Yadav, Shri Ram Harkh (Azamgarh).

Yadav, Shri Ram Sewak (Bara Banki).

Yadava, Shri Bhishma Prasad (Kesaria).

Yajnik, Shri Indulal Kanaiyalal (Ahmedabad).

Yashpal Singh, Shri (Kairana).

Yusuf, Shri Mohammad (Siwan).

LOK SABHA

The Speaker

Sardar Hukam Singh

The Deputy Speaker

Shri S. V. Krishnamoorthy Rao

Panel of Chairmen

Shri Mulchand Dube
Shri Jaganatha Rao
Shrimati Renu Chakravartty
Shri Surendranath Dwivedi
Shri Shyam Nath

Secretary

Shri M. N. Kaul, Barrister-at Law

GOVERNMENT OF INDIA

Members of the Cabinet

Prime Minister and Minister of External Affairs and Minister of Atomic Energy.—Shri Jawaharlal Nehru.

Minister of Finance.—Shri Morarji R. Desai.

Minister of Transport and Communications.—Shri Jagjivan Ram.

Minister of Planning and Labour & Employment.—Shri Gulzarilal Nanda.

Minister of Home Affairs.—Shri Lal Bahadur Shastri.

Minister of Railways.—Sardar Swaran Singh.

Minister of Commerce & Industry.—Shri K. C. Reddy.

Minister of Defence.—Shri V. K. Krishna Menon.

Minister of Food & Agriculture—Shri S. K. Patil.

Minister of Irrigation & Power.—Hafiz Mohammad Ibrahim.

Minister of Law.—Shri Asoke Kumar Sen.

Minister of Mines & Fuel.—Shri Keshava Deva Malaviya.

Minister of Information & Broadcasting.—Shri B. Gopala Reddi.

Minister of Steel & Heavy Industries.—Shri C. Subramaniam.

Minister of Education.—Dr. K. L. Shrimali.

Minister of Scientific Research & Cultural Affairs.—Shri Humayun Kabir.

Minister of Parliamentary Affairs.—Shri Satya Narayan Sinha.

MINISTERS OF STATE

Minister of Works, Housing & Supply.—Shri Mehr Chand Khanna.

Minister of Industry in the Ministry of Commerce & Industry.—Shri Nityanand Kanungo.

Minister of Shipping in the Ministry of Transport & Communications.—Shri Raj Bahadur.

Minister of Community Development, Panchayati Raj & Cooperation.—Shri S. K. Dey.

Minister of Health.—Dr. Sushila Nayar.

Minister of International Trade in the Ministry of Commerce & Industry.—Shri Manubhai Shah.

Minister of State in the Ministry of Home Affairs.—Shri B. N. Datar.

Minister of Labour in the Ministry of Labour and Employment.—Shri Jai Sukh Lal Hathi.

Minister of State in the Ministry of External Affairs.—Shrimati Lakshmi N. Menon.

Minister of State in the Ministry of Defence.—Shri K. Raghu Ramaiah.

DEPUTY MINISTERS

Deputy Minister in the Ministry of Finance.—Shri Bali Ram Bhagat.

Deputy Minister in the Ministry of Scientific Research & Cultural Affairs.—Dr. Mono Mohan Das.

Deputy Minister in the Ministry of Railways.—Shri Shah Nawaz Khan.

Deputy Minister in the Ministry of Food.—Shri A. M. Thomas.

Deputy Minister in the Ministry of Law.—Shri R. M. Hajarnais.

Deputy Minister in the Ministry of Railways.—Shri S. V. Ramaswamy.

Deputy Minister in the Ministry of Transport and Communications.—Shri Ahmed Mohiuddin.

Deputy Minister in the Ministry of Finance—Shrimati Tarkeshwari Sinha.

Deputy Minister in the Ministry of Works, Housing and Supply.—Shri P. S. Naskar.

Deputy Minister in the Ministry of Community Development, Panchayati Raj & Cooperation.—Shri B. S. Murthy.

Deputy Minister in the Ministry of Education.—Shrimati Soundaram Ramachandran.

LOK SABHA

Saturday April 21, 1962/ Vaisakha 1, 1884 (Saka)

The Lok Sabha met at Eleven of the Clock.

[*MR. SPEAKER in the Chair*]

MEMBERS SWORN

Shri Lakhmu Bhawani (Bastar)

Shri Sanji Rupji Dhodia (Nominated—Dadra and Nagar Haveli).

ORAL ANSWERS TO QUESTIONS

Mr. Speaker: Questions. Pandit D. N. Tiwary.

Shri D. N. Tiwary: 43.

Shri R. G. Dubey: Questions 43 and 46 may be taken together.

Shri Harish Chandra Mathur: That would be disadvantageous for putting the supplementaries, and they emphasize different aspects.

Mr. Speaker: If there is objection, they will be taken up separately.

Refund on Telegrams sent by Post

*43. **Shri D. N. Tiwary:** Will the Minister of **Transport and Communications** be pleased to state:

(a) the amount so far refunded to the senders of telegrams whose telegrams were sent by post in 1961 and 1962; and

(b) whether such refunds are made *suo motu* or the senders have to apply for refunds?

The Minister of Transport and Communications (Shri Jagjivan Ram): (a) Separate figures of refunds granted because of telegrams posted are not maintained.

(b) On receipt of complaints enquiries are made and if fault of the service is established, refund of the telegraph charges is granted.

Shri D. N. Tiwary: May I know whether Government is aware that large numbers of senders of telegrams come from villages, that they do not know the rules and also how to apply and where to apply? May I know whether in such circumstances it is not incumbent upon the Government to refund the value of those telegrams which were sent by post?

Shri Jagjivan Ram: The occasions when telegrams are sent by post from the sub-telegraph offices, where most of the people are from the rural areas, are very few and far between.

श्री म० ला० द्विवेदी : मैं यह जानना चाहता हूं कि इस बात को ध्यान में रखते हुए कि तार इस लिये दिये जाते हैं कि वे डाक से पहले पहुंचें, जहां कहीं भी तार डाक के मुकाबले में देर में से पहुंचे, क्या वहां पर तार देने वाले को कोई क्षति देने का इन्तजाम है । यदि नहीं, तो क्यों नहीं ?

श्री जगजीवन राम : जी हां, मंशा तो यही है कि तार चिट्ठी से पहले पहुंचे, लेकिन जब ऐसी कोई मजबूरी आ जाती है कि तार तार से नहीं भेजा जा सकता है, तो उसको जल्दी से जल्दी डाक द्वारा भेजने का इन्तजाम किया जाता है । जिस को तार भेजी गई है, अगर उस के पास तार देर से पहुंचती है और तार महकमे का ध्यान

लिख कर इस बात की तरफ़ दिलाया जाता है है, तो दाम वापस कर दिय जाते हैं।

Shri D. N. Tiwary: May I know whether there is any arrangement to inform the senders of these telegrams that their telegrams have been sent by post and that they may apply for refund?

Shri Jagjivan Ram: I am not quite sure; I will ascertain that.

Shri Tyagi: What are the precise circumstances under which the postal authorities are authorised to send the telegrams by post? Are Government prepared to issue instructions to the effect that when such circumstances come in and telegrams are sent by post, the person who sends the telegram is informed?

Shri Jagjivan Ram: As I have already said, I am not aware whether they are informed or not; I will ascertain that. But the telegrams are sent by post only when it is not possible to transmit them when the circuits have been disturbed either by the cutting of the copper wires or by theft of copper wires or dislocation of the circuit.

Shri Prabhat Kar: Most of the telegrams that have been sent by post are from big cities. What steps have been taken to see that the number of these lines which go from big cities is increased so that, even if one line is cut or wire from one line is stolen, the other may be used?

Shri Jagjivan Ram: Steps are being taken to introduce coaxial cables; and when that is completed this difficulty will be overcome.

वनस्पति घी में रंग मिलाना

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*४४. श्री प्रकाशवीर शास्त्री :
श्री बी० चं० शर्मा :

क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) वनस्पति घी में रंग मिलाने के संबंध में अब तक क्या प्रगति हुई है

(ख) क्या यह सच है कि इस काम में जान बूझ कर देर की जा रही है;

(ग) क्या यह भी सच है कि भारत में और भी बहुत से खाद्य पदार्थ इस प्रकार के हैं जिन में रंगों का इस्तेमाल होता है;

(घ) यदि हां, तो फिर वनस्पति घी में मिलाने के लिए कोई रंग क्यों नहीं खोजा जा सका है ; और

(ङ) सरकार इस संबंध में कब तक अन्तिम निर्णय लेने का विचार रखती है ?

The Deputy Minister in the Ministry of Food (Shri A. M. Thomas): (a) Researches for finding out a colour for Vanaspati are in progress.

(b) No, Sir.

(c) Yes, Sir.

(d) Does not arise in view of answer to part (a) above.

(e) As soon as the researches in this regard are complete.

श्री प्रकाशवीर शास्त्री : अध्यक्ष महोदय, मैं आप से इस की व्यवस्था चाहता हूं कि जो प्रश्न हिन्दी में होते हैं उन का हिन्दी में ही उत्तर देने की भी क्या कुछ व्यवस्था रहेगी ?

अध्यक्ष महोदय : आम तौर पर तो यत्न यही किया जाता है और है भी ऐसा कि जो प्रश्न हिन्दी में हों, उन का उत्तर भी हिन्दी में ही दिया जाय। मगर कुछ मिनिस्टर साहिबान ऐसे होंगे जिन को कोई कठिनाई होगी। उस सूरत में मैम्बर साहब कुछ अर्से के लिए और ज्यादा हौसला और सब्र करें।

Shri Tyagi: Sometimes the words used in the Hindi translation are such that it is not possible for everybody to follow. Will instructions be given

that the translation must be in proper Hindi and not in pedantic Hindi?

Mr. Speaker: When that question arises, then it may be taken up.

श्री प्रकाशवीर शास्त्री : वनस्पति घी में रंग मिलाने का प्रश्न जिस समय विचाराधीन था उस समय शायद यही सोच कर निश्चय किया गया था कि घी की शुद्धता को सुरक्षित रखा जा सके। मैं जानना चाहता हूं कि यह निश्चय कब किया गया था कि वनस्पति घी में रंग जोकि मिलाया जा सकता हो उस की खोज की जाय और क्या कारण है कि इस में इतनी देरी हो रही है ? सरकार ने इस सम्बन्ध में क्या निश्चय किया है ?

Shri A. M. Thomas: It is true that, in principle, it has been accepted that if a suitable colour is found, compulsory addition of same would be introduced. But, so far no suitable colour has been found. Researches have also been conducted in this matter; and a committee consisting of the topmost scientists in this country had been set up as early as 10-6-60. They have not been able to find a suitable colour so far.

श्री प्रकाशवीर शास्त्री : सरकार ने इस सम्बन्ध में भी कोई निश्चय किया है कि अमुक अवधि के भीतर वनस्पति में रंग मिलाने के कार्य को पूर्ण कर लिया जायेगा ?

Shri A. M. Thomas: No time limit can be fixed for this research. Some patience has to be displayed in all such cases. I may be frank with the House and say that so far none of the known colours fully sastisfy the specifications prescribed by the committee and the chances of finding out a suitable appear to be remote.

Shri D. C. Sharma: Since our Indian scientists have not been able to find out a suitable colour, may I know whether it is intended by Government to pass on this project to some foreign scientists?

Shri A. M. Thomas: Even in foreign countries they have not been able to find out a suitable colour. And, you will find that in countries like Belgium, Germany and Australia, what they do is to add sesame oil, which method we also adopt.

Shri S. M. Banerjee: May I know whether it is a fact that there is pressure from the owners of vanaspati factories and vanaspati dealers and that is the main reason why Government is unable to do this?

Mr. Speaker: There ought not to be innuendoes, inferences and all that. Every time this has been repeated; and on the part of the hon. Member also.

Shri S. M. Banerjee: You will kindly excuse me, Sir. If no colour can be found, does it mean that with all the scientific advance in the country no colour could be found?

Mr. Speaker: It is an insinuation; it need not be answered. Shri V. C. Shukla.

Shri Vidya Charan Shukla: Is it not a fact that suitable colours have been found practically for all the things which need to be coloured and why is it that those colours which are used for other edible matters cannot be used for this purpose? Has the Government made any special enquiries about that?

Shri A. M. Thomas: There is a fundamental difference. The colours that are being used for foodstuffs are primarily intended to give the appearance as also the taste and to add to its aesthetic value. The object of colouring vanaspati on the other hand is to enable ready detection if ghee is adulterated with vanaspati. There are certain prescribed standards: it must be fast in colour; it must not be spoiled by heating for a particular time; that colour should preferably be of vegetable origin and there is also the condition that the quantity of the colour should be small and the addition of the colour should not cause a change in the taste. Again, it should not adversely affect the health.

P. & T. Services Selection Board

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*45. **Shri Shree Narayan Das:**
Shri Subodh Hansda:
Shri S. C. Samanta:
Shri Bhakt Darshan:

Will the Minister of **Transport and Communications** be pleased to state:

(a) whether it is proposed to enlarge the scope and functions of the P. & T. Services Selection Board; and

(b) if so, the precise nature of proposals under consideration?

The Minister of Transport and Communications (Shri Jagjivan Ram): (a) The Board started functioning a few months back. At present its scope has been restricted to 4 Circles, namely, U.P., Delhi, Punjab and Rajasthan. On the basis of experience gained, its scope will be enlarged.

(b) This question does not arise.

Shri Shree Narayan Das: May I know whether any programme is proposed to be framed in this regard to increase the scope and functions of this board?

Shri Jagjivan Ram: Not at present. The intention is to gain some experience and then expand its scope.

श्री भक्त दर्शन : क्या शासन ने यह अन्दाजा लगाया है कि देर से देर कितना समय इस बोर्ड को काम करते हो जायेगा जबकि उस की और शाखायें फैलाई जा सकेंगी ?

श्री जगजीवन राम : यह तो सिर्फ पिछले तीन या चार महीनों से ही शुरू हुआ है और प्राम्भिक अवस्था में है । जब हमें दो चार या छः महीनों का और अनुभव हो जायेगा तब इस पर बिचार किया जायेगा ।

Shri S. C. Samanta: On 2nd December, 1960 we were told in the consultative committee that the details of the proposal as approved were being worked out. The hon. Minister even now says that these are being worked out. May I know why such delay has occurred?

Shri Jagjivan Ram: The details had already been worked out for these four circles and the scheme has been introduced. As to its expansion, the experience gained in the working in these four circles will be examined and then the scheme will be expanded.

श्री रामेश्वरानन्द : अभी माननीय मंत्री ने कहा कि इस की प्रारम्भिक अवस्था है मैं जानना चाहता हूं कि इस प्रारम्भिक अवस्था में कितने वर्ष लग जायेंगे । कुछ कठिनाई जो मंत्रियों को है, मैं ऐसा बात नहीं कहता कि उस को अनुभव नहीं किया जाना चाहिये, किन्तु जो सदस्यगण हैं उन की कठिनाई को भी तो अनुभव किया जाना चाहिये । इसलिये हिन्दी के प्रश्नों का उतर हिन्दी मे ही देना चाहिये ।

श्री जगजीवन राम : हिन्दी के प्रश्नों के उत्तर हिन्दी में मिल जायेंगे। लेकिन माननीय सदस्य महोदय को यह समझना चाहिये कि मास और वर्ष में अन्तर होता है । अभी तीन या चार मास हो इस को आरम्भ हुए बीते हैं इसलिये यह प्रारम्भिक अवस्था मे ही है ।

डाक द्वारा तारों का भेजा जाना

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*४६. **श्री स० ला० द्विवेदी :**
श्री रामेश्वर टांटिया :
श्री स० चं० सामन्त :

क्या **परिवहन तथा संचार** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का ध्यान राष्ट्रीय डाक-तार कर्मचारी संघ के सभापति के उस वक्तव्य की ओर आकर्षित किया गया है जिस में उन्हों ने कहा है कि देश के सभी तारघरों से लगभग एक लाख तार डाक द्वारा भेजे जाते हैं ;

(ङ) यदि हां, तो क्या सरकार ने इस की जांच की है ;

(च) यदि हां, तो इस के क्या कारण हैं ;

(छ) क्या इस का मुख्य कारण कर्मचारियों का असन्तोष है ; और

(ज) यदि हां, तो असन्तोष का क्या कारण है और सरकार उसे दूर करने के लिए क्या कार्यवाही कर रही है ?

परिवहन तथा संचार मंत्री (श्री जगजीवन राम) : (क) जी हां ।

(ख) जी हां ।

(ग) से (ङ) डाक द्वारा भेजे जाने वाले तारों की संख्या वक्तव्य में दी गई संख्या से बहुत कम है । कुछ तारों को लाइन और उपस्कर की आम खराबियों के कारण डाक द्वारा भेजना पड़ा । मई, १९६१ में तार कर्मचारियों के प्रोत्साहन के लिए दी जाने वाली रकम में हाल ही में संशोधन करने की जो योजना लागू की गई है उस के कारण बड़े-बड़े तारघरों में काम करने वाले कुछ प्रचालक स्टाफ ने सामान्य रूप से जितना काम उन्हें करना चाहिये था, उतना काम नहीं किया और इस वजह से भी कुछ गड़बड़ हुई । डाक-तार यूनियनों के साथ बातचीत चल रही है ।

Shri Hanumanthaiah: The English answer may also be read.

Mr. Speaker: Yes.

Shri Jagjivan Ram.—(a) Yes.

(b) Yes.

(c) to (e). The number of telegrams sent by post was far less than indicated in the statement. Some telegrams had to be sent by post because of normal line and equipment failures. Some dislocation was also caused by a section of the operative staff in the large telegraph offices not giving their normal output because of the recent modification to the telegraph incentive money scheme introduced in May, 1961. Discussions are being held with the Unions.

श्री म० ला० द्विवेदी : मैं जानना चाहता हूं कि जो नये नियम अधिक तार भेजने के लिए कर्मचारियों को प्रोत्साहन देने के सम्बन्ध में बनाये गये थे क्या वे पुराने नियमों के मुकाबले कर्मचारियों के लिए हानिकर थे । यदि हां, तो उन को लाभप्रद बनाने के लिए सरकार क्या कर रही है ?

श्री जगजीवन राम : जो अधिक तार भेजने में प्रोत्साहन देने के लिए अभी रकम दी गई है उस को देखने से पता चलता है कि नये नियम हानिकर नहीं हैं । लेकिन जैसा कि मैं ने कहा, अभी डाक तथा तार वालों की यूनियन से हमारी बात चीत चल रही है और शायद एक दो दिन में उन का अन्तिम फैसला हमारे पास आ जायगा ।

श्री म० ला० द्विवेदी : मैं जानना चाहता हूं कि जो डाक द्वारा तार भेजने की संख्या बढ़ती जा रही है उस में इन तीन महीनों में क्या कुछ सुधार हुआ है, यदि हां, तो किस हद तक ?

श्री जगजीवन राम : अब तो हम स्वाभाविक स्थिति पर पहुंच गये हैं । साधारण अवस्था में जितने तार डाक से भेजे जाते हैं अब हम उस संख्या पर आ गये हैं । इस में अब कोई बढ़ोतरी नहीं है ।

Shri Hem Barua: May I know whether it is a fact that these norms have been arbitrarily fixed, without consultation with the workers and, if so, whether it is not a fact that these new norms are depriving the workers of their legitimate earnings and whether the Government have examined this aspect of the problem also?

Shri Jagjivan Ram: Many of the presumptions of the hon. Member are incorrect and are without any basis. As I have already explained in Hindi, the incentive money as fixed by the

new method has given them more earnings. But, as I have already said, discussions are being held with the union of the employees, and their working committee is meeting either today or tomorrow, and their final decision will be forthcoming.

I may inform the House that the position has come practically to normal, and the number of telegrams being sent by post is not abnormal. They are as many as are normal.

Shri Hem Barua: Sir, I would like to make a personal explanation.

Mr. Speaker: There is no ambiguity about what the hon. Member has asked. Why should he offer personal explanation?

Shri Hem Barua: I should like to offer a personal explanation, because the point is this. The hon. Minister said that my information is wrong. It is not so. The norms has been fixed at 25. Now it is 37 messages per hour and the workers have been resisting this increase in the norm, and they want this to be revised.

Mr. Speaker: He may be holding a different opinion, and the Minister may be holding another opinion. Both are entitled to hold their opinions, So, that does not arise out of the question; it does not arise during the Question Hour.

Shri Harish Chandra Mathur: The crux of the question is, these incentives are given to the workers for better outturn. But is it not correct that the workers or their representatives are first consulted and the incentives are introduced only afterwards?

Shri Jagjivan Ram: That should be the procedure. I agree with the hon. Member that it should be done.

Export of Telecommunication Equipment

*47. **Shri Raghunath Singh:** Will the Minister of Transport and Communications be pleased to state:

(a) whether the Indian Telephone Industries Limited, is intending to export tele-communication equipment to foreign countries; and

(b) if so, the details thereof?

The Minister of Transport and Communications (Shri Jagjivan Ram): (a) and (b). Yes, Sir. During 1961-62, orders to the extent of Rs. 1:05 lakhs were secured from Ceylon, Burma and Sikkim. Efforts are also being made to obtain orders from other countries.

श्री रघुनाथ सिंह : मैं यह जानना चाहता हूं कि इन दो देशों के अतिरिक्त और कहीं से भी आप के पास आर्डर आए हैं ?

श्री जगजीवन राम : हम और देशों के लिए भी प्रयत्न कर रहे हैं, लेकिन अभी तक आर्डर तो नहीं आये हैं ।

Shrimati Renu Chakravartty: How does the price of our telephones and other equipment compare with such equipment in the foreign markets? May I know whether the equipment supplied to the south-eastern markets is cheaper than those which are available in the western market?

Shri Jagjivan Ram: Our quotations are quite comparable with those of other countries, and we are trying to compete with oher counries on a competitive basis.

Shri Yajnik: May I know if any equipment has already been sent or whether the equipment will be sent in the next few months?

Shri Jagjivan Ram: They have been exported and they are also in the process of being exported.

Shri Heda: May I know whether we are exporting full telephone exchanges or only part of the equipment?

Shri Jagjivan Ram: We are exporting telephone instruments, exchanges, carrier equipment, PBX boxes, etc.

Shri P. C. Borooah: May I know whether the Federation of Indian

Chambers of Commerce and Industry have recently represented complaining about shortage of this equipment and whether there is going to be any augmentation of the manufacture of this equipment?

Shri Jagjivan Ram: I do not think there is any relation between the two. We have a shortage of telephones in big cities, but that does not imply that the capacity of the telephone industry is not enough to meet the demands. Several factors have to be taken into consideration for the expansion of telephone exchanges in a big city.

Shri Daji: Will the hon. Minister assure us that before we export, the needs of our own country will be completely examined? Is it not a fact that we ourselves are in short-supply of these things?

Shri Jagjivan Ram: It is quite obvious that before we undertake export, the needs of our own country will be examined. But it is sometimes better to get foreign markets, so that we can undertake large-scale expansion of manufacture of this equipment in our country.

Export of Locomotives

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*48. { **Shri Subodh Hansda:** / **Shri S. C. Samanta:**

Will the Minister of **Railways** be pleased to state:

(a) whether the foreign market for exporting Indian locomotives has been explored;

(b) if so, the names of such markets;

(c) whether any orders have been placed by foreign countries for Indian locomotives; and

(d) if so, when the first consignment will be sent out to foreign market?

The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy): (a) and (b). Efforts are being continued to export Indian built Locomotives to countries in South-East and West Asia, Africa, South America, etc.

(c) No, Sir.

(d) Does not arise.

Shri Subodh Hansda: May I know whether any negotiation has been made about the price of these locomotives and if so, whether the negotiated price is less or higher than the cost of production of these locomotives?

Shri S. V. Ramaswamy: No such negotiation has been made; we are exploring the possibilities of export.

डा० गोविन्द दास : क्या इन इंजनों को बाहर भेजने के पहले इस बात को देख लिया जायगा कि हमारे देश में इंजनों की कितनी आवश्यकता है इन को बाहर भेजने के पहले इस बात का ध्यान रक्खा जायगा कि हम को बाहर से इंजन न मंगाने पड़ें और तभी यह इंजन बाहर भेजे जायें ?

रेल मंत्री (श्री स्वर्ण सिंह): इन चीजों का ख्याल रक्खा जायगा ।

Shri S. M. Banerjee: May I know when we are likely to reach self-sufficiency in the manufacture of locomotives and to what extent imports have been reduced?

Shri S. V. Ramaswamy: Locomotives are of three types. So far as steam locomotives are concerned, we are self-sufficient and we are also in a position to export. As regards diesel locomotives, we have recently set up a factory at Varanasi and entered into an agreement with ALCOS of America. So far as eclectric locos are concerned, some of them are being made at Chittaranjan. We will not be able to export diesel and electric locomotives for a considerable length of time. As regards steam locomotives, we have not imported them for some years.

Shri Sham Lal Saraf: May I know how the prices of the locomotives manufactured in our country compare

with the prices of locomotives on sale in outside markets?

Shri S. V. Ramaswamy: So far as BG Goods steam locomotives are concerned, the ones we manufacture at Chittaranjan are much cheaper than the ones that we imported before. So far as diesel and eclectric locomotives are concerned, we cannot compare the prices yet.

Electricity Rates

*50. **Shri Harish Chandra Mathur:** Will the Minister of **Irrigation and Power** be pleased to state:

(a) at what rate power is made available in each State to (i) small scale industry (ii) agricultural sector and (iii) large scale industry;

(b) cases where power is given below tariff rate and below cost price and reasons for the same; and

(c) whether a detailed statement will be laid on the Table?

The Minister of Irrigation and Power (Hafiz Mohammad Ibrahim): (a) and (c). A statement giving the requisite information is laid on the Table of the House. [*See* Appendix I, annexure No. 6].

(b) The tariff for industrial and agricultural purposes in Andhra Pradesh, Assam, Bihar, Punjab, Rajasthan, Uttar Pradesh and West Bengal, is lower than the average cost of generation and supply. The tariff has been so fixed by the State Electricity Boards concerned with a view to promoting industrial and agricultural production.

Shri Harish Chandra Mathur: It would be obvious from the statement that the rates charged to the small scale industries as well as to agricultural purposes are much higher than the rates charged to large scale industries. May I know if it is in consonance with the policy of the Government and whether Government have revised their decision in this matter indicated earlier while discussing the Plan?

Hafiz Mohammad Ibrahim: The power to take decisions in this matter lies with the State Governments. What I can do is that I will bring that point to the notice of the States concerned, which has been raised by my hon. friend here.

Shri Harish Chandra Mathur: We have got here at the centre a Central Water and Power Commission. May I know what is the responsibility of that particular Board or Commission, and whether this matter has occurred to the Central Government only now when I have put the question or they have considered it earlier?

Hafiz Mohammad Ibrahim: The responsibilities of the States and the Centre are stated in the Constitution and the rules of procedure. As far as the liaison between the Centre and the States in this particular matter is concerned, the position is that we have to depend upon the States. It is for them to revise these things. We can only advise them and it is open to them to accept or not accept our advice. I said I will advise them as my hon. friend suggested.

Shri Vidya Charan Shukla: The policy in this regard is laid down by the Central Government and the Planning Commission. The Planning Commission and the Central Government have both advised the State Government that the small scale industries should be given certain incentives, and concession in power rate is included as one of those incentives. May I know what action has been taken by the Government to see that this advice is properly followed by the States?

Hafiz Mohammad Ibrahim: Yes. This advice was given. I will draw the attention of my hon. friend to the figures in the statement that I have furnished. That has been acted upon and in the case of small scale industries and agricultural purposes the rates are lower than before.

Shri Morarka: Is it not a fact that the cost of energy supplied to the ulti-

mate consumer is 34·13 nP in Rajasthan whereas it is only 4·63 nP in Orissa and 6·05 nP in Mysore; if so, may I know what is the reason for charging six to eight times more the ultimate consumer in Rajasthan as compared to other places?

Mr. Speaker: That is exactly what the hon. Minister stated.

Hafiz Mohammad Ibrahim: The expenditure differs from place to place according to the principal features and other circumstances. The States cannot have a uniform rate in this connection if they are allowed to earn something over it.

Shrimati Renu Chakravartty: In view of the fact that one of the biggest suppliers, the D.V.C., supplies in bulk to the Calcutta Electric Supply Corporation and they are charging small scale industry 19 nP, the highest compared to any other State in the whole of India, may I know whether the Central Government proposes to look into the question of increase in rates which the Calcutta Electric Supply Corporation has now started since the end of March?

Mr. Speaker: Are we to go into details State by State?

Hafiz Mohammad Ibrahim: I will look into that question.

Shri Yallamanda Reddy: Sir, from the statement it is obvious that in every State for small scale industry the rate is very high. The hon. Minister stated that it is the concern of the State Government. But the Electricity Boards are formed with the guidance of the Central Government. May I ask the hon. Minister to see that at least the advice in this regard....

Mr. Speaker: What does he want now? He may put his question.

Shri Yallamanda Reddy: I am asking whether the Central Government has advised the State Governments to help the cause of the small-scale industries.

Mr. Speaker: It is a suggestion for action.

Shri Harish Chandra Mathur: Have the State Governments the blessing and support of the Central Government in selling electricity to large enterprises at a price which is lower than the cost of production?

Hafiz Mohammad Ibrahim: It is not as if in every individual case the Centre is consulted by the State Governments.

Dr. Melkote: Is it not a fact that in 1952 or 1953 power generation and transmission was nationalised. In view of the above, had not the Central Government sent instructions to the State Government to fall in line with the tariff suggested by them? In view of that, can the Central Government not take action whenever the States do not move with the times?

Mr. Speaker: Now we are entering into argument instead of asking for information.

Shri Tyagi: May I take it that the Planning Commission or the Government of India have not taken any action with regard to reducing the rates of electricity for small industries in the States? What has happened to the attempt of the Government of India to bring about uniform rates all over India?

Hafiz Mohammad Ibrahim: I have already said that the Government of India did advise in certain cases. That advice has not actually been acted upon by the States.

Shri Hanumanthaih: Is it true that in the case of big industries the supply is bulk supply and in the case of small industries and agriculture it is small-scale supply and that is the reason for the difference in rates?

Hafiz Mohammad Ibrahim: That is also a reason.

Shri Tyagi: Last time in answer to a question the Government had stated that they were making efforts to en-

force uniform rates all over India. May I know whether that intention is still being implemented?

Haji Mohammad Ibrahim: My hon. friend is putting into my mouth something which I have not said. I have never said that we are going to introduce uniform rates throughout the whole of India. I think it is an impossibility; it cannot be achieved. We can try to achieve it to the extent possible.

Mr. Speaker: Next question.

Shri Tridib Kumar Chaudhuri: I suggest that S.Q. No. 55 may also be taken up, as it relates to the same subject.

Mr. Speaker: It may also be taken up if the hon. Minister has no objection.

Export of Sugar

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*51. **Shri D. C. Sharma:**
Shri Subodh Hansda:
Shri S. C. Samanta:
Shri Bibhuti Mishra:

Will the Minister of **Food and Agriculture** be pleased to state:

(a) the steps taken or proposed to be taken to step up the export of sugar during this year; and

(b) the results achieved?

The Deputy Minister in the Ministry of Food (Shri A. M. Thomas): (a) Every effort is being made to step up export of sugar by booking business wherever possible and securing quota from U.S.A. which is highly preferential market.

(b) A quota of 50,000 short tons has been obtained from U.S.A. for immediate shipment and 1.05 lakh metric tons have been sold for export to Canada, Malaya and Middle East countries for shipment mostly upto 30th June. Further sales are in progress. Nearly 46,000 metric tons have been exported during January—March against sales made last year.

Sugar Purchase by U.S.A.

*55. **Shri Osman Ali Khan:**
Shri P. C. Borooah:
Shri S. M. Banerjee:
Shri Bhagwat Jha Azad:
Shri Basappa:
Shri H. N. Mukerjee:
Shri Hari Vishnu Kamath:

Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether the U.S. Agriculture Department has of late offered to purchase increased quantities of sugar during the ensuing six months;

(b) if so, to what extent; and

(c) on what terms?

The Deputy Minister in the Ministry of Food (Shri A. M. Thomas): (a) to (c). U.S.A. has agreed to import 50,000 short tons of sugar during the first half of 1962, against purchase of cotton.

Shri D. C. Sharma: The hon. Deputy Minister was pleased to say that further sales are in progress. May I know the nature of those further sales and the countries to which those sales are made?

Shri A. M. Thomas: We cannot now say to which countries we are going to sell. As there is no quota restriction, we can now sell to any country which wants it.

Shri D. C. Sharma: May I know whether the rates at which sugar is supplied to U.S.A. are different from the rates at which sugar is supplied to other countries? If so, what is the discrepancy between the rates obtainable in U.S.A. and in other countries?

Shri A. M. Thomas: The approximate realisation on sugar per ton which is exported to the United States of America is roundabout Rs. 550 whereas for sales in the world market we realise only about Rs. 350. Our cost of production comes to about Rs. 800.

Shri Bibhuti Mishra: Do Government contemplate to reduce the Central excise duty to speed up exports?

Shri A. M. Thomas: That is a suggestion for action.

Shri Bibhuti Mishra: No, Sir, it is not a suggestion.

Dr. Govind Das: The hon. Minister has just now said that the rate in the case of America is Rs. 550 and in the case of other countries it is Rs. 350. What is the reason for this difference?

Shri A. M. Thomas: America is a sheltered market. America produces about 50 per cent of its requirements and in order to protect the indigenous producer they just allocate quotas and will import only to the extent that will keep up the internal prices.

Shri Tridib Kumar Chaudhuri: On the 19th there was a question asked of the Commerce and Industry Ministry which the hon. Minister concerned did not answer in view of the fact that these questions were coming up today.

Mr. Speaker: That all of us know. He should come straight to the question.

Shri Tridib Kumar Chaudhuri: We have also submitted tenders. May we know in general terms whether those tenders are lower than the prices that we had last time or whether they are the same or higher?

Shri A. M. Thomas: No, Sir; tenders do not affect the prices. The United States Government decided to allocate about 1.74 lakh tons which was needed for the first half—the balance is for the first half—against countries which purchased their agricultural commodities. We were in need of cotton as also wheat; so we also tendered for the purchase of cotton at 120 per cent per ton of the value of sugar. We also tendered for the purchase of 1 lakh tons of wheat.

Shri Hem Barua: May I know whether it is a fact that Government have entered into an agreement with Canada for a barter deal? If so, how does this barter deal with Canada agree with that with U.S.A.?

Shri A. M. Thomas: We are also exporting to Canada under a barter arrangement for importing fertilisers. To Canada we have so far exported about 6,895 tons in 1961 and more quantities in 1962.

Shri Hem Barua: The other part of the question has not been answered, namely, how does this compare with the deal with U.S.A.

Shri A. M. Thomas: I do not quite follow.

Shri Hem Barua: You have entered into a barter deal with Canada. How does this compare with the barter deal entered into with U.S.A.?

Shri A. M. Thomas: Compared with what we realise from the world markets, we get better prices for exports to Commonwealth countries. As far as Malaya is concerned, we get a better price. As far as Canada also is concerned, we get a better price. For exports to Commonwealth countries the average realisation would be about £26 per metric ton.

Shri P. C. Borooah: What is the loss that the country will sustain by selling this sugar to U.S.A. during 1961?

Shri A. M. Thomas: The loss can be easily calculated. As I have already said our cost of production would come to about Rs. 800 per ton. For exports to America we realise about Rs. 550 per ton and to the world market Rs. 350. It is a matter of arithmetical calculations.

Shri Banerjee: Apart from stepping up our exports to sell our surplus sugar, may I know whether there is any proposal with the Government to reduce the price of sugar for internal consumption and dispose of the surplus?

Shri A. M. Thomas: Although this is a matter of first impression as far as this House is concerned, in the

previous House the answer has been given. The price of sugar is linked with the price of sugarcane and also excise duty. Unless these two items are reduced there is no scope for reducing the price of sugar for internal consumption.

Shri P. R. Patel: It is said that we have entered into an agreement with America to export sugar at Rs. 580 per ton in exchange for cotton...

Mr. Speaker: What is the need for all this preface? This is already known to the hon. Minister. He may come to the question straight.

Shri P. R. Patel: What will we have to pay for the cotton from America?

Shri A. M. Thomas: For the imports of cotton from America we will be paying the world price. We are in need of long-staple cotton, and we will have to spend foreign exchange for this purpose but for this barter agreement. As far as the price aspect is concerned it is governed by other factors.

Unemployed Civilian Pilots

*52. **Shri S. M. Banerjee:** Will the Minister of **Transport and Communications** be pleased to state:

(a) whether all the unemployed trained civilian pilots have been provided with jobs;

(b) if not, the number of those who are still unemployed; and

(c) the steps taken by Government to provide them with employment?

The Deputy Minister in the Ministry of Transport and Communications (Shri Mohiuddin): (a) and (b). 33 Pilots with current 'B' licences are believed to be unemployed of which only 8 were trained at the Civil Aviation Training Centre while the remaining 25 obtained their licences through the Flying Clubs.

(c) Employment was secured for 9 pilots with the Indian Air Force who have been requested to absorb some more. 4 or 5 pilots are believed to have secured employment with the non-scheduled operators and 4 pilots have been selected for the posts of Assistant Aerodrome Officers. Some more pilots may be able to secure employment as Assistant Aerodrome Officers as some further recruitment is being made in the near future.

Shri S. M. Banerjee: The hon. the Deputy Minister has stated that some pilots are "believed to have secured employment". May I know whether they have been employed or not? What is the information with the hon. Minister?

Shri Mohiuddin: My information is that they have been absorbed. Five at least have been employed. But that information is not completely confirmed. As far as four are concerned, that has been confirmed.

Shri S. M. Banerjee: Sir, this notice has been given ten days before, and this is a matter which is being actually discussed in the House...

Mr. Speaker: Whatever information the hon. Minister possesses he is passing it on to the hon. Member.

Shri S. M. Banerjee: Sir, you will kindly protect us. They do not give us information. On this particular point they have not been able to get the information, namely, about the total number of pilots still unemployed and how many have been provided employment. He says "believed to be". What is this "believed to be"?

Mr. Speaker: Has the hon. Minister got definite information about that?

Shri Mohiuddin: The definite information, I have given. 33 pilots with current 'B' licences are unemployed of whom eight were trained at the Civil Aviation Training Centre, while the remaining 25 obtained their licences through Flying Clubs. This is the definite information.

Shri Jaipal Singh: Under the law every commercial pilot has to be registered so that he can be conscript-

ed in an emergency. What is the total number of commercial pilots, employed or unemployed, who have been registered?

Shri Mohiuddin: I have not got the total. That will include all the pilots who are employed by the I.A.C. and the Flying Clubs.

Shri Jaipal Singh: This information should be with the hon. Minister.

Shri Mohiuddin: I have not got the figure with me here.

Mr. Speaker: During Question Hour hon. Members can only get the information that is available with the Ministers. That information is not with him.

Shri Nath Pai: May I know how many pilots have taken advantage of the facility made available to them by the Government, or are believed to have taken advantage of the facility offered by the Government for a refresher course to renew the 'B' licences?

Shri Mohiuddin: There are a number of pilots who have taken advantage of the offer that has been made. I have not got the exact figure, because they come through the Flying Clubs. And as far as 1961-62 is concerned, the final figures are not yet available.

Shri Vidya Charan Shukla: Is it not a fact that Government have started various intensive schemes for training civilian pilots; and may I know whether Government simultaneously are creating employment for all these pilots who are trained by these schemes?

Shri Mohiuddin: I am not aware of 'various schemes' that have been started. There is one Civil Aviation Training Centre at Allahabad, and there are a certain number of Flying Clubs. Out of fourteen, there are about six Flying Clubs that also give training for 'B' licence, and this is also on a very restricted basis.

Shri Basappa: May I know whether responsibility can be fixed for training these pilots who are not required, and what is the cost of training a pilot?

Shri Mohiuddin: The cost of training, at the C.A.T.C., was estimated last time to be about Rs. 40,000.

Shri Basappa: Can the responsibility be fixed?

Shri Mohiuddin: No responsibility can be fixed. After all, training is given, and Government has not taken any responsibility to provide them employment. We only help them in getting employment.

Shri Basappa: There is no planning.

Mr. Speaker: Order, order. It is an argument.

Shri M. R. Krishna: Out of the pilots who have been absorbed, may I know how many have been absorbed in posts for which they are not qualified?

Shri Mohiuddin: I do not think any pilot could be absorbed for which he is not qualified.

Telegraph Operators

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*53. **Shri Hem Barua:**
Shri Shree Narayan Das:
Shri Bhagwat Jha Azad:

Will the Minister of **Transport and Communications** be pleased to state:

(a) whether it is a fact that the Operators in the Telegraph Offices are being compelled to work overtime;

(b) whether it is also a fact that they are being threatened that they would be charge-sheeted in case they refuse; and

(c) the steps Government propose to take to remove the fear and help the Operators to work more efficiently?

The Minister of Transport and Communications (Shri Jagjivan Ram): (a) Operating staff works overtime for the clearance of traffic according to rules. No compulsion is applied.

(b) No.

(c) Does not arise.

Shri Hem Barua: May I know whether it is a fact that new norms are arbitrarily fixed and if so whether it is a fact that the workers suggested that this matter be referred to the Productivity Council for analysis of the norms and rates to be adopted, and till then to maintain the status quo? Why is it that the Government have not agreed to this helpful suggestion made by the workers? That is why there has been this sort of anomaly.

Shri Jagjivan Ram: The hon. Member has put a question about overtime. Overtime work is being taken. There is nothing new about that. This method has continued for many many decades. I may inform the House that the question of compulsion does not arise, because, the number of volunteers who offer to work overtime at any stage is much larger than our requirements.

Shri Hem Barua: May I know whether it is a fact that the workers were required to transmit 5000 messages in 28 days on the aggregate and those who could not come up to that aggregate were deprived of their legitimate overtime earnings, very recently?

Shri Jagjivan Ram: This is going into details. But, the House will appreciate that when there are technological improvements and installation of new equipment as technology and science develops, we cannot stick to the same norms. Any man with commonsense will appreciate that the norms will have to be increased.

Shri Hem Barua *rose*—

Mr. Speaker: The hon. Member over there.

Shri Hem Barua: This raises an important matter. There has been an insinuation in the reply of the hon. Minister.

Mr. Speaker: I have called the hon. Member there. I will look into that matter after I have listened to that hon. Member.

Dr. L. M. Singhvi: Is it proposed to increase the number of telegraph operators to cope with the work?

Shri Jagjivan Ram: It is always examined whether further hands are required with increase in the work and new recruitments are made. But, after all these precautions are taken, in the very nature of the work, it may be necessary that at times overtime work will be required from the operators.

Shri Hem Barua: On a point of order, Sir,....

Shri Tridib Kumar Chaudhuri: The Minister told us about new norms. May I know whether these norms have been fixed on a piece rate basis or time basis, and if on a time basis, what is the normal overtime rate if they work more than the usual office hours?

Shri Jagjivan Ram: I have not got the details of that. But, it has been done by technical experts. In 1958, the Telegraph Enquiry Committee was appointed, with experts on that committee. They went into the details of the working and everything with regard to the operators. As I have informed in reply to a previous question, discussions are going on between the P and T department and the Union of the Post and Telegraph employees. As I have already stated, the working comittee of the Union is meeting either today or tomorrow and the differences if there are any are sure to be resolved.

Mr. Speaker: What is the point of order?

Shri Hem Barua: Whenever any insinuation is supposed to be made by a Member of this House, you in your wisdom come down heavily on him. In replying to my supplementary question the Minister was pleased enough to make an insinuation. He

made a reference to commonsense indirectly meaning that the Member who put the supplementary question lacked commonsense. The point of order is whether the Minister can make an insinuation of that sort.

Mr. Speaker: No Member—and 'Member' includes 'Minister'—can make any insinuation. But the hon. Member should not be so sensitive as to just pick up another cap lying at other places and put it on his own head.

Shri Jagjivan Ram: On a point of personal explanation. I did not suggest, even by implication that the hon. Members has not got commonsense.

Mr. Speaker: We are all agreed that the hon. Member is a man of great commonsense.

Shri Tyagi: Rather of uncommon sense.

Shri Hem Barua: I want to know whether my hon. friend means it as a kick or as a compliment.

Mr. Speaker: That might not have been expressed properly, but he means it as a compliment.

Shri Prabhat Kar: May I know whether Government have got any record of the number of hours of overtime work prior to the introduction of the new norms, and the number after the introduction of the new norms, and if so, how the two compare with each other?

Shri Jagjivan Ram: I presume that all these questions of employment and hours of work etc. must have been taken into consideration while laying down the norms, and also the probable overtime for which each operator may be called upon to work.

Mr. Speaker: Next question. Shri P. C. Borooah.

Shri P. C. Borooah: May I request that question No. 72 also may be taken up?

Mr. Speaker: If the hon. Minister feels that he can answer both together, he can do so.

Shri Shahnawaz Khan: I think that is probably a different question altogether. That question relates to the Ministry of Irrigation and Power. So, the two questions relate to two different Ministries.

Mr. Speaker: I think that the hon. Member is only taking advantage of the questioner being common in respect of both the questions. So, Q. No. 54 may be answered now.

Beas Dam Project

*54. **Shri P. C. Borooah:** Will the Minister of **Railways** be pleased to state:

(a) whether some length of the railway line is to be dislocated in connection with the implementation of the Beas Dam Project;

(b) if so, how long;

(c) what stations of the Kangra Valley Railway come within this range; and

(d) what way the railway line will be diverted?

The Deputy Minister in the Ministry of Railways (Shri Shahnawaz Khan): (a) Yes, Sir.

(b) About 17 miles.

(c) Anur, Jagatpur and Mangwal stations.

(d) The location of the diversion will be decided after the survey, which is in progress, is completed and the report examined.

Shri P. C. Borooah: May I know the extent of the new area of land that will have to be acquired for this proposed diversion, and also the time by which it would be completed?

Shri Shahnawaz Khan: All that will be known after the survey is com-

pleted. We hope to complete the survey in the next two or three months.

Mr. Speaker: Q. No. 55 has already been answered. Now, Q. No. 56.

Shri Shree Narayan Das: May I request that Q. No. 76 may be taken up now, because that relates to an important subject?

Mr. Speaker: I may be excused in this matter. I shall only go by the order in which the questions are put. I would not take up any other question. Now, Q. No. 56.

Permanent Indus Commission

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*56. **Shri Nath Pai:**
Shri Raghunath Singh:
Shri Rameshwar Tantia:
Shri D. C. Sharma:
Shri P. C. Borooah:

Will the Minister of **Irrigation and Power** be pleased to state:

(a) whether it is a fact that the permanent Indus Commission met in New Delhi in the first week of April, 1962;

(b) if so, what were the subjects discussed by the Commission; and

(c) the decisions taken thereon?

The Minister of Irrigation and Power (Hafiz Mohammad Ibrahim): (a) Yes, Sir.

(b) and (c). The Permanent Indus Commission studied the information made available by the two Commissioners regarding the general tour of inspection to be conducted by it once in every five years under Article VIII(4)(c) of the Indus Waters Treaty 1960, and considered the question of the preparation of its Second Annual Report for the period ended on 31st March, 1962, which it is required to submit to the two Governments, before first June, 1962, under Article VIII(8) of the Treaty.

The Commission also held discussions on matters concerning:

(i) reimbursement of cost of transmission of data by telegram, telephone or wireless;

(ii) measures for the recovery of timber and other property and its restoration to owners;

(iii) status of different forms of communication between the Commissioners; and

(iv) discharge tables of the Main Branch Lower and Lahore Branch.

No decisions were taken by the Commission on any of the above items which will be considered further at its subsequent meetings.

रिंग रोड दिल्ली

*५७. **श्री नवल प्रभाकर :** क्या परिवहन तथा संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि दिल्ली में रिंग रोड के निर्माण की प्रगति बड़ी मन्द गति से हो रही है ; और

(ख) उस के कब तक बन कर तैयार हो जाने की सम्भावना है ?

परिवहन तथा संचार मंत्रालय में नौवहन मंत्री (श्री राज बहादुर) : (क) और (ख) : इस संबंध में अब तक की प्रगति का एक विवरण सभा पटल पर प्रस्तुत है । **[देखिये परिशिष्ट १ अनुबन्ध संख्या ७]**

श्री नवल प्रभाकर : इस विवरण से ज्ञात होता है कि रिंग रोड को पांच खंडों में बांटा गया है, जिन में से दो खंड तो तैयार हो गए हैं और बाकी तीन खंडों के बारे में कहा गया है कि वे अलग अलग समय में तैयार होंगे । मैं यह जानना चाहता हूं कि इस योजना को पूरा करने के सम्बन्ध में कौन सी तिथि निश्चित की गई है ।

श्री राज बहादुर : जैसा कि माननीय सदस्य को इस विवरण को पढ़ने से विदित होगा, इस में पुल में बाकी रह गए हैं और जैसे जैसे पुल बन कर तैयार होते जायेंगे, वैसे वैसे सारी सड़क मुकम्मल होती जायगी । वैसे इस वक्त भी वहां पर आमदो-रफ्त जारी है ।

श्री नवल प्रभाकर : क्या माननीय मंत्री जी को मालूम है कि दो खंडों के बीच में कुछ जगह छोड़ी गई है, जिस की वजह से आमदो-रफ्त में दिक्कत हो रही है ?

श्री राज बहादुर : दिक्कत जरूर है, लेकिन पुल तो पुल की तरह हो बनेगा । मैं समझता हूं कि जो थोड़ी जगह रह गई है, वह एप्रोचिज के लिए है ।

Fishing Industry

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*58. **Shri Warior:**
Shri Vasudevan Nair:
Shri Indrajit Gupta:
Shri Liladhar Kotoki:

Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether it has been decided to purchase marine engines from Japan or any other country to accelerate mechanisation of fishing industry in India;

(b) if so, the details thereof;

(c) how these engines will be distributed;

(d) whether any mechanised fishing boats are in use already; and

(e) if so, how far they have helped to increase the volume of fish hauls?

The Deputy Minister in the Ministry of Food (Shri A. M. Thomas): (a) to (c). It is proposed to import about 250-300 marine diesel engines from Japan to meet the urgent requirements of the various States for implementing the programme of mechanisation of fishing craft. An amount of Rs. 30 lakhs has been allocated for the purpose under the Yen Credit Scheme. The import will take place through the State Trading Corporation, who has not yet finalized the deal with the Japanese Suppliers. The exact distribution of these engines has also not yet been settled. This also will be settled by the State Trading Corporation, in consultation with the State Fisheries Departments.

(d) Yes.

(e) Catches from the mechanised boats are about 3 to 4 times more than catches by ordinary boats.

Shri Warior: When these engines are distributed, what will be the price charged on each?

Shri A. M. Thomas: The price will depend upon the horse power. It will vary from Rs. 7,000 to Rs. 20,000.

Shri Warior: When these engines come to India will those States which have the fishing industry more than some other States be given prior consideration?

Shri A. M. Thomas: The requirements of various States have been ascertained. I understand the purport of the hon. Member's question. Of course, Kerala will also receive due recognition.

Shri Vasudevan Nair: May I know whether Government have exhausted all the possibilities of getting help from Norway as there is the Indo-Norwejian project in operation in certain parts of the country in this field?

Shri A. M. Thomas: Under that scheme also, mechanised boats are being imported.

Shri P. Kunhan: May I know how many engines have been supplied to the Kerala State?

Shri A. M. Thomas: Altogether, there are 1,800 mechanised boats functioning. I cannot give the break-up now. I think in the case of Kerala it comes to 190.

Mr. Speaker: Question No. 59.

Shri Jaipal Singh: May I suggest that question No. 69 also be taken up with it?

An Hon. Member: They are different.

Mr. Speaker: It will be answered separately.

D.V.C.

*59. **Shrimati Maimoona Sultan:** Will the Minister of **Irrigation and Power** be pleased to state:

(a) whether Government have undertaken a review of the Damodar Valley Corporation construction to enable it to serve West Bengal and Bihar more efficiently and usefully than at present, as recommended by the Sachdev Committee;

(b) if so, what ways and means have been thrashed out for the purpose; and

(c) what action has been taken to give a practical shape to these measures?

The Minister of Irrigation and Power (Hafiz Mohammad Ibrahim): (a) to (c). The matter is under consideration of Government.

Shrimati Maimoona Sultan: May I know whether there is a proposal to establish a thermal station at Pachratu in Bihar to ensure better supply of power to that State? If so, are we negotiating with any country to get the equipment for the plant? If the answer is in the affirmative, what is the name of the country and how far the negotiations have progressed?

Hafiz Mohammad Ibrahim: There is a proposal, but about the particular place the hon. Member mentioned, I do not remember at this moment. I will tell her afterwards.

Mr. Speaker: The hon. Member might address the Chair.

Shrimati Maimoona Sultan: My question is whether there is any proposal to establish a thermal station at a place called Pathratu to ensure better supply of power to Bihar? If so, are we negotiating with any foreign country to get the equipment for the plant? If we are, what is the name of the country and what is the stage at which the negotiations stand?

Hafiz Mohammad Ibrahim: I rather admit my fault that at present I forget the name of the place. So I cannot confirm it. That was why I said that I would tell her afterwards.

Shri Tridib Kumar Chaudhuri: May I know whether certain recommendations of the Sachdev Committee to set up thermal power stations in West Bengal have been negatived by the Planning Commission?

Hafiz Mohammad Ibrahim: I want notice of that.

Shrimati Maimoona Sultan: Since this Damodar Valley Corporation is the joint responsibility of the Central Government and West Bengal and Bihar, what steps are being taken by the Government to associate these States? Are we having a joint meeting or some consultation, and how far have we progressed in that?

Hafiz Mohammad Ibrahim: Government are considering the reorganisation of the whole thing—the DVC and the body which is governing it at present. The whole thing is going to be considered.

WRITTEN ANSWERS TO QUESTIONS

Price of Ghee

*49. **Shri E. Madhusudan Rao:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) the reasons for increasing the price of *ghee* by the Delhi Milk Supply Scheme;

(b) whether there is any likelihood of its coming down again after the summer; and

(c) whether there is any proposal to increase the price of milk also?

The Minister of Food and Agriculture (Shri S. K. Patil): (a) The price

of *Ghee* has been increased from Rs. 6·75 to Rs. 7·50 per kilogram, having regard to cost of production, depreciation of plant and machinery, interest on capital, prevailing market price of *ghee* in Delhi and other relevant factors.

(b) No.

(c) The price of milk is constantly under review of the Delhi Milk Scheme authorities with reference to the factors affecting production, processing and distribution of milk, some of which have been indicated above.

Postage Stamps for W.H.O. Drive against Malaria

*60. **Shri Bhagwat Jha Azad:** Will the Minister of **Transport and Communications** be pleased to state:

(a) whether Government propose to issue special postage stamps to further the W.H.O. drive against Malaria;

(b) if so, when; and

(c) what conditions would be attached for such action?

The Minister of Transport and Communications (Shri Jagjivan Ram): (a) and (b). A special postage stamp on 'Malaria Eradication' in the denomination of 15 nP. was issued on the 7th April, 1962 (World Health Day).

(c) The issue of the stamp was purely voluntary and no conditions were laid down by the sponsoring organization, namely, the World Health Organisation.

Power Supply from Hirakud to Madhya Pradesh

*61. **Shri Birendra Bahadur Singh:**
Shri Vidya Charan Shukla:

Will the Minister of **Irrigation and Power** be pleased to state:

(a) the quantum of power Madhya Pradesh will get from the Hirakud Project in Orissa;

(b) by what time it was expected to be made available to the State; and

(c) what progress has since been made at both the ends for the transmission of that power up-to-date?

The Minister of Irrigation and Power (Hafiz Mohammad Ibrahim): (a) and (b). The Government of Orissaa have agreed to supply 5,000 KW. of power to Madhya Pradesh when stage II of the Hirakud Power system is completed i.e., by about the end of March, 1963.

(c) According to the latest information available with us, the Government of Madhya Pradesh have intimated the Orissa Government the location where they would like to receive the power supply.

Thermal Plant at Kothagudam

*62. **Shri A. K. Gopalan:** Will the Minister of **Irrigation and Power** be pleased to state:

(a) the progress made up-to-date regarding setting up of a Thermal Plant at Kothagudam in Andhra Pradesh;

(b) whether the foreign exchange required for this has since been arranged; and

(c) when the plant is expected to be commissioned?

The Minister of Irrigation and Power (Hafiz Mohammad Ibrahim): (a) The specifications for the plant and equipment for the Kothagudam Power Station, where two units of 60 MW. each are proposed to be installed, are being prepared by the project authorities. Consulting Engineers have also been appointed for this project.

(b) The foreign exchange is expected to be met from assistance from the International Bank for Reconstruction and Development, for which the project has been posed.

(c) It is hoped that the plant would be commissioned in 1964-65.

Deep-Sea Fishing in Kerala

*63. **Shri Kunhan:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) the number of people who have been given training in deep-sea fishing in Kerala; and

(b) the number of motorised boats made available to trained fishermen in Kerala during the last two years?

The Minister of Food and Agriculture (Shri S. K. Patil): (a) 585.

(b) 62.

Bangalore Airport

*64. **Shri Basappa:** Will the Minister of **Transport and Communications** be pleased to state:

(a) whether it has come to the notice of Government that the Bangalore Airport needs renovation and expansion;

(b) whether airport buildings have been transferred from Defence department to the Transport and Communications Ministry; and

(c) if not, whether the Transport and Communications Ministry has corresponded with the Defence Ministry for the transfer of the airport building etc.?

The Deputy Minister in the Ministry of Transport and Communications (Shri Mohiuddin): The question will be answered by the Hon'ble Defence Minister on a future date as it concerns his Ministry.

Aerodrome at Hubli-Dharwar Corporation Area

*65. **Shri Mohsin:** Will the Minister of **Transport and Communications** be pleased to state:

(a) whether Government are aware of the necessity of an aerodrome at Hubli-Dharwar Corporation area in Mysore State:

(b) whether survey was made by Government for location of the aerodrome near the said place; and

(c) if so, with what results?

The Deputy Minister in the Ministry of Transport and Communications (Shri Mohiuddin): (a) The construction of an aerodrome at Hubli is not considered necessary from an all-India civil aviation point of view, but it has been included by the Department of Tourism in the list of places where the construction of aerodromes is necessary from the tourist point of view. It has, however, been given a low priority in that list.

(b) and (c). A survey was made some time back and a site located between Hubli and Dharwar was considered suitable, in case it was decided to construct an aerodrome.

Bridges on National Highways

*66. **Shri Sinhasan Singh:**
Dr. Mahadeva Prasad:

Will the Minister of **Transport and Communications** be pleased to state:

(a) the progress made in the construction of road bridge on the river Ghagra at Dohri and Barhalganj ghats on the National Highway;

(b) whether it is a fact that the said bridge was to be constructed in the Third Five Year Plan; and

(c) when the bridge on the Rapti River at Gorakhpur is going to be opened for traffic?

The Minister of Shipping in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) to (c). A statement giving the required information is laid on the table of the Sabha.

STATEMENT

(a) and (b). Owing to paucity of funds it has not been possible to include the construction of a road bridge over the river Ghagra at Dohri and Garhalganj ghats in the Third Five-Year Plan. There is a ferry running at Dohrighat throughout the year and the construction of a pon-

toon bridge at this crossing has been provided for in the Third plan. An estimate amounting to Rs. 5·88 lakhs for the construction of pontoon bridge at this crossing is under examination in consultation with the Uttar Pradesh Public Works Department.

(c) In February 1958, sanction was accorded to an estimate amounting to Rs. 41·43 lakhs for the construction of a bridge across the Rapti river near Gorakhpur on National Highway No. 28. The work on the Rapti bridge was in progress and the superstructure of three out of nine spans had been completed by July 1961. On 16th July 1961, the Chief Engineer, Uttar Pradesh intimated that one of the spans of the Rapti bridge constructed towards the end of June, 1961 had collapsed suddenly on the morning of the 14th July 1961. The Government of Uttar Pradesh have appointed a Committee to enquire into the casuses of this collapse. The Committee is still busy with its deliberations and it is difficult to say when it would be able to submit its report. This bridge was originally scheduled to have been completed by the end of December, 1962 and it would have been completed by the target date except for the collapse of one span referred to above. The revised date by which this bridge will now be opened to traffic will be decided after the work on the bridge has re-commenced.

Dial Trunk System

*67. **Shrimati Renuka Ray:** Will the Minister of **Transport and Communications** be pleased to state:

(a) whether it is a fact that a dial trunk system to link 5 cities including New Delhi has been introduced; and

(b) if so, which are the other cities so connected?

The Minister of Transport and Communications (Shri Jagjivan Ram): (a) No.

(b) A statement is laid on the table of the Sabha.

STATEMENT

At present, trunk dialling system is working only between Lucknow and Kanpur.

A similar scheme between Delhi and Agra has been sanctioned and is expected to be inaugurated by June 1962. Schemes for subscriber trunk dialling for following routes have also been sanctioned:

(1) New Delhi	—	Kanpur
(2) New Delhi	—	Lucknow
(3) Agra	—	Kanpur
(4) Agra	—	Lucknow
(5) Kanpur	—	Varanasi

Orders for equipment for these routes have been placed and the scheme will be introduced after the equipment is supplied and installed. The provisional target date is during 1963-64.

Indian Freighter Quarantined

*68. **Shri Liladhar Kotoki:**
Shri Raghunath Singh:

Will the Minister of **Transport and Communications** be pleased to state:

(a) whether the Indian freighter 9500 ton 'Indian Security' was put under quarantine for an unspecified period in Hamburg Port on her arrival there on the 31st March, 1962, on suspicion of a seaman having smallpox;

(b) whether the sister ship, Indian freighter 'Indian Resolve', was also put under quarantine a Polish Port for the same reason;

(c) whether an enquiry has been made in the matter; and

(d) if so, the result thereof?

The Minister of Shipping in the Ministry of Transport and Communications Shri Raj Bahadur): (a) 'Indian Security' was put under quarantine on the 31st March, 1962 in Hamburg

Port. The ship was permitted to unload cargo on 2nd April and quarantine was lifted on the 3rd April, 1962.

(b) 'Indian Resolve' was put under quarantine in Gdansk (Poland) from 20th March, 1962.

(c) No formal enquiry has been made.

(d) Does not arise.

D.V.C. Irrigation Targets

*69. **Shri Subodh Hansda:**
Shri S. C. Samanta:

Will the Minister of **Irrigation and Power** be pleased to state:

(a) whether the irrigation targets of DVC have been reached in 1961-62;

(b) if not, the reasons for the shortfall; and

(c) the steps being taken to reach the target in 1962-63.

The Minister of Irrigation and Power (Hafiz Mohammad Ibrahim): (a) No, Sir.

(b) The reasons for the shortfall are lack of a sufficient number of water courses and field channels.

(c) Survey and investigations for the construction of water courses have been undertaken by the D.V.C. and the excavation of water courses is being taken up. The Government of West Bengal have been requested to arrange for the construction of field channels.

I.A.C.

*70. **Shri Harish Chandra Mathur:** Will the Minister of **Transport and Communications** be pleased to state:

(a) what new routes were taken up by I.A.C. during 1960-61 and 1961-62 and what is the economic position of these routes;

(b) what is the programme for expansion during 1962-63;

(c) whether a full survey of the country's needs for air traffic has been made; and

(d) what contribution is being made by State Governments for losses sustained by I.A.C. for running services in the States?

The Deputy Minister in the Ministry of Transport and Communications (Shri Mohiuddin): (a) to (d). I lay a statement on the Table of the House. [*See* Appendix I, annexure No. 8].

Accidents Enquiry Committee

*71. **Shri S. M. Banerjee:**
Shri Warior:
Shri Vasudevan Nair:
Shrimati Maimoona Sultan:
Shri Hari Vishnu Kamath:
Shri A. K. Gopalan:

Will the Minister of **Railways** be pleased to state:

(a) whether the Committee appointed to investigate into the causes of accidents has started its work; and

(b) when the Committee is likely to submit its report?

The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy): (a) Yes, Sir.

(b) It is not possible at this stage to give any indication of the date when the Committee is likely to submit its report.

Beas Dam Project

*72. **Shri P. C. Borooah:** Will the Minister of **Irrigation and Power** be pleased to refer to the reply given to Unstarred Question No. 27 on the 14th March, 1962 and state:

(a) the total area of (i) residential and (ii) agricultural land to be got evacuated in connection with the Beas Dam Project;

(b) how much of each type of land is proposed to be made available to

the oustees in Rajasthan for their resettlement; and

(c) what compensation will be paid to the oustees and on what terms the land will be made available to them for resettlement?

The Minister of Irrigation and Power (Hafiz Mohammad Ibrahim): (a) The total area of the land, both residential and agricultural, that is proposed to be acquired in connection with the Beas Dam Project is approximately 58,642 acres. Basic data about this area is being collected and its break-up into residential and agricultural land will be available when such data has been collected.

(b) The types and quantum of land in Rajasthan to be made available to the oustees will be known after the colonisation policy for the Rajasthan Canal area has been finally settled in consultation with the Governments of Rajasthan and Punjab.

(c) The total compensation provided for in the Project Estimate is Rs. 539·281 lakhs. The terms of allotment of land will be laid down after the colonisation policy referred to in part (b) has been settled.

Power Requirements in the Country

*73. **Shrimati Maimoona Sultan:** Will the Minister of **Irrigation and Power** be pleased to state:

(a) whether Government have appointed an expert team to undertake a study of the country's power requirements during the Fourth Plan;

(b) if so, what are the main problems to be studied by the team;

(c) who are the personnel serving on the team;

(d) by what time the team is expected to finish its work; and

(e) what is the *modus operandi* of the team and what is the progress of the work made so far?

The Minister of Irrigation and Power (Hafiz Mohammad Ibrahim): (a) No; Sir.

(b) to (e). Do not arise.

Rural Universities

*74. **Shri Madhusudan Rao:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether Government have taken any decision about the number and location of the rural universities in the country on the model of Rudrapur University in Nainital District; and

(b) if so, the salient features of the same?

The Minister of Food and Agriculture (Shri S. K. Patil): (a) Not yet.

(b) Does not arise.

Double Track on Rayanapad and Yerupalyam

*75. **Shri A. K. Gopalan:** Will the Minister of **Railways** be pleased to state:

(a) the reasons for the delay in laying of double track between Rayanapad and Yerupalyam on the Dornakal-Vijayawada Section, Central Railway; and

(b) when the double line will be thrown open for goods traffic and the steps proposed to be taken to accelerate the pace of work?

The Deputy Minister in the Ministry of Railways (Shri Shahnawaz Khan): (a) Works on the Vijayawada-Yerupalayam doubling are progressing according to schedule. A portion of it between Vijayawada and Rayanapad has already been opened to goods traffic on 31st March 1962.

(b) The section between Rayanapad and Yerupalayam is expected to be opened to goods traffic by December 1962. As the work is progressing according to schedule, the question of taking any further steps to accelerate the pace of work does not arise.

Water Supply in Delhi

*76. **Shri Shree Narayan Das:**
Shri M. L. Dwivedi:
Shri S. C. Samanta:
Shri D. C. Sharma:
Shri Naval Prabhakar:

Will the Minister of **Health** be pleased to state:

(a) the position with regard to water supply in the Capital;

(b) whether there has been shortage of water recently;

(c) if so, the nature and extent of shortage experienced; and

(d) steps taken to meet the situation?

The Minister of Health (Dr. Sushila Nayar): (a). The position with regard to water supply in the Capital is satisfactory.

(b) and (c). There has been no shortage in the flow in the river Yamuna uptil now.

There have been complaints of low pressure of water in certain areas like Defence Colony, Blocks 7 and 8 of Karol Bagh, Rajinder Park, parts of Old City, Friends Colony, Lajpat Nagar, Malviya Nagar, Hauz Khas, served by the Municipal Corporation of Delhi. In some areas like Moti Bagh, Netaji Nagar, Naoroji Nagar and in the neighbourhood of the Safdarjang Hospital under the New Delhi Municipal Committee, there was shortage of water, but this was speedily set right.

(d). In areas where the complaint is about the low pressure of water during summer months, larger mains will be laid to improve the pressure of supply. For this purpose, orders have been placed by the Municipal Corporation of Delhi for C.I. pipes of various sizes. All such works will be completed in the Third Five Year Plan. In the other areas the sluice valve was replaced.

Second Shipyard

*77. **Shri Subodh Hansda:**
Shri S. C. Samanta:
Shri M. L. Dwivedi:

Will the Minister of **Transport and Communications** be pleased to state:

(a) whether the economics of the Second Ship-building Yard at Cochin have been carefully worked out gaining experience from the working of the Hindustan Shipyard Ltd.,

(b) if so, how the following problems will be solved:—

(i) training of supervisory personnel;

(ii) building up of adequate facilities for full construction;

(iii) securing continued and regular supply of material like steel plates etc., for construction of machinery;

(iv) setting up of important marine subsidiary industries essential for shipbuilding activities; and

(v) securing sufficient orders in time?

The Minister of Shipping in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) and (b). A statement is laid on the Table of the House. [*See* Appendix I; annexure No 9].

Automatic Telex Services

*78. **Shri P. C. Borooah:** Will the Minister of **Transport and Communications** be pleased to state:

(a) whether there is a scheme to introduce automatic telex services linking certain main cities in India;

(b) if so, what are the cities to be linked; and

(c) what is the cost of the scheme?

The Minister of Transport and Communications (Shri Jagjivan Ram): (a). Yes.*

(b). It is proposed to link Bombay, Delhi, Calcutta & Madras and 16 other stations.

(c). The scheme is expected to cost Rs. 1.5 crores.

Madras Airport

*79. **Shri A. K. Gopalan:** Will the Minister of **Transport and Communications** be pleased to state:

(a) whether the land required for the extension of runway at Madras airport for making it fit for boeing service has since been acquired from the Ministry of Defence;

(b) if so, when the work will commence; and

(c) whether Air India International have informed the Government that they would bypass Madras airport in their flight from Bombay to Sydney if the airport is not ready for boeing service?

The Deputy Minister in the Ministry of Transport and Communications (Shri Mohiuddin): (a). Yes, Sir,

(b). The work has already been commenced departmentally.

(c) Yes.

आयुर्वेदिक व यूनानी औषधियां

२०. **श्री मधुसूदन राव :** क्या स्वास्थ्य मंत्री २४ मार्च, १९६२ के तारांकित प्रश्न संख्या १७५ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि आयुर्वेदिक और यूनानी औषधियों के निर्माण को वैधानिक नियंत्रण के अन्तर्गत लाने के सम्बन्ध में क्या प्रगति हुई है ?

स्वास्थ्य मंत्री (डा० सुशीला नायर) : अभी इस विषय में अन्तिम निर्णय लिया जाना है ।

Development of Horticulture in Andhra Pradesh

21. **Shri E. Madhusudan Rao:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) the grants given to the Government of Andhra Pradesh during the Second Five Year Plan period (year-wise) for the development of horticulture; and

(b) the names of the schemes for which the grants were given?

The Minister of Food and Agriculture (Shri S. K. Patil): (a) and (b). The grants given by the Central Government to the Government of Andhra Pradesh during the Second Plan period for the development of horticulture were as under:

Scheme	1956-57 Rs.	1957-58 Rs.	1958-59 Rs.	1959-60 Rs.	1960-61 Rs.
1. Development of Frui Produ cion.	Nil	1,980	30,360	56,166	61,057
2. Cashew Development Scheme.	Nil	Nil	4,276	11,392	10,774

Complaints Against Telephone Authorities, Dhamtari

22. **Shri Vidya Charan Shukla:** Will the Minister of **Transport and Communications** be pleased to state:

(a) whether it is a fact that certain serious complaints have been made against the telephone authorities of Dhamtari, District Raipur, Madhya Pradesh;

(b) whether a report has also been made to the police about these complaints; and

(c) what is the nature of these complaints and the action taken thereon?

The Minister of Transport and Communications (Shri Jagjivan Ram): (a) A few complaints have been received.

(b) It is gathered from local staff that one complaint has reported to Police.

(c) The complaints are mostly against the behaviour of the operating staff. Each case is being enquired into and appropriate action as called for is being taken.

Medicine for Leucoderma

23. Shri E. Madhusudan Rao: Will the Minister of **Health** be pleased to refer to the reply given to Starred Question No. 82 on the 21st November, 1961 and state:

(a) whether any enquiry has been made regarding the medicine invented by the Ayurvedic experts of Patiala for leucoderma;

(b) *if so, the details thereof;* and

(c) whether Government will popularise the medicine.

The Minister of Health (Dr. Sushila Nayar): (a) to (c). The Government of Punjab have been requested to carry out the necessary investigations and clinical trials with the medicine that is claimed to cure leucoderma. When details are available, Government will take further necessary action in the matter.

Civil Aerodrome Near Ghaziabad

24. Shri E. Madhusudan Rao: Will the Minister of **Transport and Communications** be pleased to state:

(a) whether any decision has since been taken by Government regarding the construction of a civil aerodrome near Ghaziabad for Delhi; and

(b) if so, details about the land purchased, cost of the scheme and the time by which it will be constructed?

The Deputy Minister in the Ministry of Transport and Communications (Shri Mohiuddin): (a) The question whether a new Civil Aerodrome should be constructed near Ghaziabad for Delhi is still under consideration.

(b) Does not arise.

Prices of Fertilisers

25. Shri E. Madhusudan Rao: Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether Government have recently taken any decision to reduce the prices of fertilizers; and

(b) if so, the details thereof?

The Minister of Food and Agriculture (Shri S. K. Patil): (a) Yes.

(b). The prices before and after the reduction are given in the statement laid on the Table. [*See* Appendix I, annexure No. 10].

Afro-Asian Rural Reconstruction Organisation

26. { Shri D. N. Tiwary: Shri Raghunath Singh: Shri Rameshwar Tantia:

Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether the Indian Government have agreed to join the Afro-Asian Rural Reconstruction Organisation set up recently in Cairo;

(b) if so, whether Indian representatives for the above organisation have been selected; and

(c) the precise function of this organisation?

The Minister of Food and Agriculture (Shri S. K. Patil): (a) The question has not been considered so far as no invitation has been received.

(b) and (c). Do not arise.

Community Development and Cooperation

27. Shri Shree Narayan Das: Will the Minister of **Community Development, Panchayati Raj and Cooperation** be pleased to state:

(a) whether it has been decided to set up a Committee at the Central level to co-ordinate and review the

working of pilot projects for the implementation of community development programmes with the co-operation of voluntary organisations and Panchayati Raj institutions; and

(b) if so, the nature of its constitution, scope and functions?

The Deputy Minister in the Ministry of Community Development, Panchayati Raj and Cooperation (Shri B. S. Murthy): (a) and (b). The question of constituting a Committee at the Union level to review the working of the pilot projects for rural development in collaboration with the Akhil Bharat Sarva Seva Sangh in Gramdan areas, is at present under consideration of the Government of India. There is no proposal to start any other pilot projects for the implementation of Community Development Programme.

River Board for Krishna and Godavari

28. Shri Rameshwar Tantia: Will the Minister of **Irrigation and Power** be pleased to refer to the reply given to Unstarred Question No. 1349 on the 17th August, 1961 and state:

(a) whether Andhra Pradesh Government have conveyed to the Government of India their disapproval of the proposal to set up a River Board for Krishna and Godavari river valleys; and

(b) if so, the alternatives Government propose to consider?

The Minister of Irrigation and Power (Hafiz Mohammad Ibrahim): (a). The Government of Andhra Pradesh have not yet agreed to the proposal to set up a River Board for the Krishna-Godavari basin.

(b). The matter is under correspondence with the State Governments concerned.

Ports in Gujarat State

29. Shri Raghunath Singh: Will the Minister of **Transport and Communications** be pleased to state the steps being taken by the Central Government to develop 10 intermediate and 40 minor ports of Gujarat State where the export and import of goods have increased considerably?

The Minister of Shipping in the Ministry of Transport and Communications (Shri Raj Bahadur): Ports other than major Ports come within the purview of the Concurrent List of the Seventh Schedule of the Constitution. The executive authority for the development of such ports vests in the State Government concerned. The Government of India provides technical advice, wherever asked for, and also financial assistance in the form of loans for the execution of development schemes included in the Central Sector of the Plan.

Schemes estimated to cost Rs. 133.50 lakhs for the development of intermediate ports in the Gujarat State have been included in the Central Sector of the Third Five Year Plan.

The Government of India are also taking steps to establish a pool of dredgers and survey launches to meet the requirements of the Minor Ports in the country. The services of the dredgers and survey launches belonging to this Pool will also be made available to the Government of Gujarat.

Cancer

30. Shri Raghunath Singh: Will the Minister of **Health** be pleased to state whether any experiment was done in India that Biri and Hukka smoking is causing lung cancer as is proved in Wests that cigarette smoking is the cause of lung cancer?

The Minister of Health (Dr. Sushila Nayar): Investigations conducted in India indicate that heavy smoking of bidis and cigarettes may be one of the factors causing cancer of the mouth, throat and lungs.

Theft of Railway Copper Wiring

31. Shri Raghunath Singh: Will the Minister of **Transport and Communications** be pleased to state how many

overhead railway copper wiring theft cases have been detected during the period from January, 1962 upto-date?

The Minister of Transport and Communications (Shri Jagjivan Ram): The information is being collected and will be laid on the Table of the Sabha as soon as available.

Haj Pilgrims

32. { **Shri Raghunath Singh:** / **Shri E. Madhusudan Rao:**

Will the **Minister of Transport and Communications** be pleased to state how many Haj Pilgrims have sailed for Jeddah up till now and their number before and after Ramzan?

The Minister of Shipping in the Ministry of Transport and Communications (Shri Raj Bahadur): The total number of pilgrims carried this year to Jeddah up till now is 15137, the number before Ramzan being 1547 and after Ramzan 13590.

Registered Seamen Ratings

33. **Shri Raghunath Singh:** Will the Minister of **Transport and Communications** be pleased to state:

(a) the number of registered seamen ratings in India at present;

(b) how many of them are foreign nationals; and

(c) how many of them are trained?

The Minister of Shipping in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) 75,219

(b) 17,894

(c) 11,893

Ganavaram Aerodrome

34. **Shri E. Madhusudan Rao:** Will the Minister of **Transport and Communications** be pleased to state:

(a) whether it is a fact that Government have decided to have plane stops at Ganavaram Aerodrome near Vijayawada; and

(b) if so, the probable date of its operation?

The Deputy Minister in the Ministry of Transport and Communications (Shri Mohiuddin): (a) and (b). With effect from 16th April, 1962, the Corporation's twice weekly Hyderabad/Vizag/Hyderabad Dakota service is operating through Vijayawada.

Family Planning Centres in Andhra Pradesh

35. **Shri E. Madhusudan Rao:** Will the Minister of **Health** be pleased to state:—

(a) the number of family planning centres opened in Andhra Pradesh during the Second Five Year Plan period, year-wise; and

(b) the total expenditure incurred thereon?

The Minister of Health (Dr. Sushila Nayar): (a) and (b). The required information is being collected and will, when available, be laid on the Table of the Sabha.

Damage to Crops by Locusts

36. { **Shri E. Madhusudan Rao:** / **Shri D. N. Tiwary:** / **Shri Naval Prabhakar:** / **Shri Balmiki:**

Will the Minister of **Food and Agriculture** be pleased to state:

(a) the names of States and districts thereof where locusts have flown during February-April, 1962;

(b) the amount of destruction to crops in each district as a result of the same; and

(c) the steps being taken by Government to stop the locusts?

The Minister of Food and Agriculture (Shri S. K. Patil): (a) 1. **Punjab:**

Bhatinda, Ferozepur, Karnal, Gurgaon, Sangrur, Hissar and Rohtak districts.

2. **Rajasthan:**

Alwar, Churu, Jaipur, Jodhpur, Jhanjhunu, Nagaur, Sikar, Barmer, Jalore, Bharatpur and Sirohi districts.

3. **Uttar Pradesh:**

Aligarh, Bulandshahr, Budaun, Bijnor, Bahraich, Etah, Hardoi, Farrukhabad, Mainpuri, Meerut, Moradabad, Mathura, Shahjahanpur, Mazaffarnagar and Sitapur districts.

4. **Bihar:**

Arrah and Monghyr districts.

5. Union Territories of Delhi, Himachal Pradesh and Tripura.

(b) The assessment of losses caused to crops has not so far been made by the affected States. In the Union Territories of Delhi and Himachal Pradesh, however, the loss has been estimated at Rs. 3 lakhs and Rs. 3 thousand respectively.

(c) Locust invasions in India are the result of locust breeding and in-effective or inadequate locust control elsewhere. Locusts, therefore, cannot be prevented from coming into India and all that can be done is to keep them well under control in the whole belt of infestation, so as to prevent swarm formation. For that purpose the Central Government is maintaining a well equiped permanent locust control organisation in the desert area of Rajasthan, Gujrat and the Punjab. This organisation is adequately strengthend during locust plague period for undertaking ground and aerial anti-locust operations.

Small Pox in Madhya Pradesh

37. Shri D. C. Sharma: Will the **Minister of Health** be pleased to state:

(a) whether it is a fact that small pox raging in some 12 districts of the Madhya Pradesh has claimed about 180 lives so far;

(b) if so, the steps taken or proposed to be taken to check its incidents?

The Minister of Health (Dr. Sushila Nayar): (a) From the beginning of this year upto the middle of March, 1962. 228 deaths have been reported from small pox in 20 districts of Madhya Pradesh.

(b) Appropriate measures for the control of small are taken by the State health authorities. The Government of India have not received any request for Central assistance in this connection.

Shifting of Mahendru Ghat Station

38. Shri Bibhuti Mishra: Will the Minister of **Railways** be pleased to refer to the reply given to Unstarred Question No. 103 on the 16th February, 1961 and state:

(a) whether any decision to shift Mahendru Ghat station has since been taken; and

(b) if so, when it will be implemented?

The Deputy Minister in the Ministry, of Railways (Shri S. V. Ramaswamy): (a) Yes, Sir.

(b) Mahendru Ghat station has been shifted to the new site in the compound of ex-Superintending Engineer's (South Bihar Circle) bungalow which is situated about a thousand feet upstream of the old Ghat.

Publication of Railway Employment Notices in Oriya Newspapers

39. Shri Surendranath Dwivedy: Will the Minister of **Railways** be pleased to state:

(a) whether publication of Railway employment notices has been discontinued in Oriya newspapers;

(b) if so, since when; and

(c) the reasons therefor?

The Deputy Minister in the Ministry of Railways (Shri Shah Nawaz Khan): (a) No Sir.

(b) and (c). Do not arise.

Education of Oriya Employees Children on South Eastern Railway.

40. Shri Surendranath Dwivedy: Will the Minister of **Railways** be pleased to state:

(a) Whether it is a fact that assistance for the education of children of Oriya employees of the S. E. Railway working in Calcutta, Salimar and suburban areas of Calcutta for their education in Orissa has been stopped; and

(b) If so, the reasons therefor?

The Deputy Minister in the Ministry of Railways (Shri Shahnawaz Khan): (a) No, Sir.

(b) Does not arise.

सहकारी खेती

४१. **श्री बाल्मीकी** : क्या सामुदायिक विकास, पंचायती राज और सहकार मंत्री यह बताने की कृपा करेंगे कि :

(क) सहकारी खेती के महत्व को देखते हुए ग्रामीण जनता तक उस विचार को फैलाने के लिए पिछले तीन वर्षों में क्या प्रयत्न किये गये हैं;

(ख) इसके लिए कितनी विचार गोष्ठियां की गई और कहां-कहां; और

(ग) उन पर कितना व्यय हुआ ?

सामुदायिक विकास, पंचायती राज और सहकार मंत्रालय में उपमंत्री (श्री बी० एस० मूर्ति) : (क) (१) १९५९ में भारत सरकार ने एक कार्यकारी दल की नियुक्ति की जिसका काम सहकारी खेती का विकास करने के लिए एक कार्यक्रम सुझाना था। इस कार्यकारी दल ने अपनी रिपोर्ट १९६० में दी और उस पर नीति सम्बन्धी निर्णय उसी वर्ष सितम्बर मास में लिये गये। इन निर्णयों के आधार पर सहकारी खेती को लोकप्रिय बनाने के लिए व्यापक स्कीम तीसरी योजना में समाविष्ट की गई है। दूसरी बातों के साथ-साथ इस स्कीम में यह व्यवस्था भी है कि काश्तकारों को सहकारी खेती के लाभों से परिचित कराने के लिए तीसरी योजना के अन्त तक प्रत्येक जिले में एक अग्रगामी परियोजना आरम्भ कर दी जाये;

(२) सहकारी खेती के कार्यक्रम के आयोजन तथा उसे बढ़ावा देने के लिए भारत सरकार ने राष्ट्रीय सहकारी खेती सलाहकार बोर्ड की स्थापना की है। १२ राज्य सरकारों ने इस तरह के बोर्ड राज्य स्तर पर स्थापित किये हैं। एक राज्य सरकार ने इस कार्य के लिए राज्य सहकारी परिषद की एक उप-समिति नियुक्त की है;

(३) १९६१-६२ में ६५ जिलों में अग्रगामी परियोजनाएं शुरू कर दी गई हैं, जहां २४३ समितियां संगठित की गई हैं;

(४) इन समितियों को वित्तीय तथा टैक्नीकल सहायता देने का प्रबन्ध कर दिया गया है जिसका ब्यौरा विवरण-क में दिया गया है। **[देखिये परिशिष्ट १, अनुबन्ध संख्या ११]**

(४) (क) अक्तूबर, १९६१ में राज्यों के सहकारी खेती के कार्यभारी मन्त्रियों तथा सहकारी समितियों के निबन्धकों के सम्मेलन में सहकारी खेती की समस्याओं पर विचार-विमर्श किया गया;

(५) (क) कुरुक्षेत्र—इस मंत्रालय की मासिक पत्रिका (ख) अखिल भारतीय सहकारी समीक्षा—नेशनल कोआपरेटिव्ह यूनियन आफ इन्डिया द्वारा प्रकाशित और (ग) राज्यों में प्रकाशित किये जाने वाली ९ सहकारी पत्रिकाओं ने सहकारी खेती विशेषांक निकाले;

(६) प्रादेशिक भाषाओं की ४५ सहकारी पत्रिकाओं में समय समय पर सहकारी खेती सम्बन्धी लेख प्रकाशित किये जाते हैं;

(७) आकाशवाणी से ग्रामीण कार्यक्रम के अन्तर्गत सहकारी खेती पर रूपक प्रसारित किये जाते हैं;

(८) इस मंत्रालय तथा कुछ राज्यों ने सहकारी खेती की नीति तथा कार्यक्रम पर लोकप्रिय पुस्तिकाएं निकाली हैं।

(ङ) गुजरात और पंजाब की सरकारों ने सहकारी खेती पर वृत्त-चित्र बनाये हैं।

(ख) व (ग). भारत सरकार ने सहकारी खेती पर नीचे दी गई संगोष्ठियों और विचार-गोष्ठियां आयोजित कीं :

(१) सहकारी खेती पर अखिल भारतीय विचार-गोष्ठी, राजेन्द्रनगर, हैदराबाद में १७ से ३१ दिसम्बर, १९६० तक।

(२) राज्य स्तर के सहकारी खेती के कार्यभारी अधिकारियों का सम्मेलन नई दिल्ली में ९ व १० अगस्त १९६१ को।

(३) चुने हुए ग्राम सेवकों के लिए अनुस्थापन तथा अध्ययन शिविर, निलोखेड़ी में, १५ सितम्बर से २ अक्तूबर १९६१ तक।

(४) प्रधानचार्यों तथा अनुदेशकों के लिए सहकारी खेती पर अखिल भारतीय अनुस्थापन तथा अध्ययन शिविर, बड़ौदा में १५ से ३१ जनवरी, १९६२ तक।

(५) सरकारी कर्मचारियों और गैर-सरकारी क्षेत्रीय कार्यकर्त्ताओं के लिए पांच प्रादेशिक अध्ययन एवं प्रशिक्षण शिविर नीचे लिखे केन्द्रों में १९६१ में आयोजित किये गये :

(क) मंजी (जिला पूना)—मैसूर, महाराष्ट्र और गुजरात राज्यों के लिए;

(ख) खेमपुर (जिला रामपुर, उत्तर प्रदेश) मध्य प्रदेश और उत्तर प्रदेश के लिए;

(ग) पटियाला (पंजाब)—राजस्थान, जम्मू तथा काश्मीर, पंजाब, हिमाचल प्रदेश और दिल्ली के लिए;

(घ) रांची (बिहार)—असम, बिहार, उड़ीसा, पश्चिमी बंगाल, मनीपुर और त्रिपुरा के लिए; और

(ङ) कोयम्बटूर (मद्रास)—आन्ध्र प्रदेश, केरल और मद्रास के लिए।

भारत सरकार द्वारा किये गये खर्च का ब्यौरा विवरण-ख में दिया गया है। [देखिये परिशिष्ट १, अनुबन्ध संख्या ११]

भारत सरकार द्वारा आयोजित संगोष्ठियों और विचार-गोष्ठियों के अलावा राज्य सरकारों ने भी राज्य, प्रादेशिक तथा जिला स्तरों पर संगोष्ठियों और विचार-गोष्ठियां आयोजित कीं। इनका ब्यौरा एकत्रित किया जा रहा है।

खाद्य पदार्थों में मिलावट

४२. **श्री बाल्मीकी** : क्या स्वास्थ्य मंत्री यह बताने की कृपा करेंगे कि :

(क) अन्न तथा खाद्य पदार्थों में मिलावट के कितने मामले जनवरी, १९६२ तक पकड़े गये ; और

(ख) उनमें से कितनों में सजायें हुईं ?

स्वास्थ्य मंत्री (डा० सुशीला नायर) : (क) और (ख) अपेक्षित सूचना एकत्र की जा रही है और यथा समय सभा पटल पर रख दी जायेगी।

चलती रेल गाड़ियों में अपराध

४३. **श्री बाल्मीकी** : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) जनवरी, १९६० से मार्च, १९६२ तक की अवधि में चलती गाड़ियों में हत्या, डकैती और चोरी की कितनी घटनायें हुईं ;

(ख) किस खण्ड में इस प्रकार की अधिकतम घटनायें हुईं ; और

(ग) उनकी रोकथाम के लिये क्या प्रयत्न किये गये ?

रेलवे मंत्रालय में उपमंत्री (श्री शाहनवाज खां) : (क) से (ग). सूचना मंगाई जा रही है और मिलने पर सभा पटल पर रख दी जायेगी।

दिल्ली में यमुना पर दूसरा पुल

४४. **श्री नवल प्रभाकर** : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) दिल्ली में यमुना पर दूसरा पुल क्या आधुनिकतम होगा ; और

(ख) यदि हां, तो इसमें अन्य पुलों की अपेक्षा क्या विशेषतायें होंगी ?

रेलवे मंत्रालय में उपमंत्री (श्री सें० वें० रामस्वामी) : (क) और (ख). पुल मानक रेलवे खाका के अनुसार बनाया जायेगा ।

नजफगढ़ झील

४५. **श्री नवल प्रभाकर** : क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) दिल्ली की नजफगढ़ झील और उससे प्रभावित गांवों से पानी निकालने के लिए सरकार क्या कार्यवाही कर रही है ; और

(ख) यह पानी कब तक निकल जाने की सम्भावना है ?

खाद्य तथा कृषि मंत्री (श्री स० का० पाटिल) : (क) २१-८-१९६१ के अतारांकित प्रश्न नं० १८३७ के भाग (क) के उत्तर की ओर ध्यान आकर्षित किया जाता है ।

(ख) इस योजना की दूसरी अवस्था, जिसका उद्देश्य ६०० क्यूसेक्स बाढ़ के पानी निकालने का है, जून, १९६३ तक पूरा हो जाने की आशा है ।

Flood Control in Kerala

46. **Shri Warior:**
Shri Vasudevan Nair:

Will the Minister of **Irrigation and Power** be pleased to refer to the reply given to Unstarred Question No. 152 on the 21st November, 1961 and state:

(a) whether the Kerala Government have submitted any detailed individual schemes as Flood Control measures;

(b) whether the Union Government have allotted any amount over and above Rs. 421 lakhs provided earlier; and

(c) whether any report on the utilisation of the above amount has been received?

The Minister of Irrigation and Power (Hafiz Mohammad Ibrahim): (a) Yes. The following schemes have been received:—

1. Converting Enamakkal weir into a regulator.
2. Improvements to Ithikkara Yela.
3. Regulator at Kottenkottuvalavu.
4. Flood Banks in Karamana River.
5. Croynes in Cherianad.
6. Improvements to Vandichirathodu.
7. Special Improvements to Karuvannur North Bund.
8. Groynes on the south bank of Pamba River near the off take of Elampanam thodu.
9. Improvements to Karuvannur South Bund.
10. Improvements to Kombettithodu in Vilavoorkal.

(b) No.

(c) A sum of Rs. 9·736 lakhs has been utilised for flood cotrol works and Rs. 94:429 lakhs for anti-sea erosion works till the end of February, 1962, according to the information received from the State Government.

Cashew Plantation

47. **Shri Warior:**
Shri Vasudevan Nair:

Will the Minister of **Food and Agriculture** be pleased to state:

(a) the amount sanctioned for cashew plantation in Kerala State during the Second Plan period; and

(b) the progress achieved; if any?

The Minister of Food and Agriculture (Shri S. K. Patil): (a) A provision of Rs. 39·99 lakhs was made for cashew plantation (both forest and non-forest) in Kerala State during the 2nd Plan period out of which the State Govt. is reported to have actually spent a sum of about Rs. 9·22 lakhs.

(b) Nearly 41,000 additional acres were brought under the crop during the Second Five Year Plan.

Indian Aircraft Rules

48. Shrimati Maimoona Sultan: Will the Minister of **Transport and Communications** be pleased to state:

(a) whether it is a fact that the Indian Aircraft Rules in respect of air-crew licensing were not in line with the standards laid down by the International Civil Aviation Organisation;

(b) if so, in what respects; and

(c) whether the rules have of late been amended to bring them in line with the international standards?

The Deputy Minister in the Ministry of Transport and Communications (Shri Mohiuddin): (a)to (c). Aircrew licences granted to pilots in India are based on the requirements contained in the Indian Aircraft Rules, 1937, as modified from time to time. The standard of aircrew licences, other than commercial pilots licence, is substantially the same as laid down by the International Civil Aviation Organisation. In so far as commercial pilots licence is concerned, under Indian Aircraft Rules, only one category of commercial pilots licence, viz. pilots 'B' licence is being issued. Indian 'B' licence cannot be closely compared with the commercial licence, recommended by the International Civil Aviation Organisation. As against a single commercial pilots licence, issued in India, at present, the International Civil Aviation Organisation provides for three commercial licences, viz., Commercial, Senior Commercial and Airline Transport pilot's licence. The pilots' privileges in each case are limited in accordance with their experience, knowledge and skill. The standard of Indian 'B' licence has been raised by the introduction of compulsory Instrument Rating for Commanders of airlines and periodical proficiency checks for all airline pilots. By the introduction of Instrument Rating, Indian 'B' licence pilots employed by the airlines can be considered qualified according to Internatioal standards for the duties performed by them.

In order to conform to the pattern of International Civil Aviation Organisation categories of aircrew licences, certain amendments to the Indian Aircraft Rules were proposed and notified in the Gazette of India dated the 16th July, 1960. Comments received from interested organisations on the proposed amendments are now under consideration of Government.

Bagh River Project

49. Shri Balkrishna Wasnik: Will the Minister of **Irrigation and Power** be pleased to state:

(a) whether the work on Bagh river project (Bhandara District, Maharashtra) has been suspended due to dispute between the States of Madhya Pradesh and Maharashtra on distribution of waters;

(b) if so, whether any efforts are being made by the Government of India and/or the respective States to resolve the disputes; and

(c) the nature of the efforts to resolve the dispute?

The Minister of Irrigation and Power (Hafiz Mohammad Ibrahim): (a). The Bagh river project has not so far been approved by the Planning Commission for execution. As a large area in Madhya Pradesh is

likely to be submerged by the project, that Government have proposed to the Maharashtra Government that the project should be taken up as a joint venture of both the States. This matter is still under consideration of the two Governments.

(b) and (c). The Government of Maharashtra have suggested to the Government of Madhya Pradesh the holding of a discussion at technical level followed, if necessary, by meeting at Governmental level to smoothen out any differences.

P.M.G's. Office, Nagpur

50. **Shri Balkrishna Wasnik:** Will the Minister of **Transport and Communications** be pleased to state:

(a) whether it has been decided to shift the Postmaster General's Office from Nagpur; and

(b) if so, why and when?

The Minister of Transport and Communications (Shri Jagjivan Ram): (a) and (b). The question is under examination.

Nationalisation of Shahdara-Saharanpur Light Railway

51. **Shri P. C. Borooah:**
Shrimati Maimoona Sultan:

Will the Minister of **Railways** be pleased to state:

(a) whether the question of nationalisation of the Shahdara-Saharanpur Martin's Light Railway has been reviewed;

(b) if so, what is Government's attitude towards the nationalisation of this railway; and

(c) in what way its working is at present regulated by Government?

The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy): (a). Yes.

(b) The Government do not propose to nationalise the Railway at present.

(c). All rules and regulations are aproved by the Central Government in the Ministry of Railways before their application to that Railway. The Government Inspector of Railways also exercises control regarding the efficient working of this Railway just as in the case of Government Railways. The rates and fares are also fixed in consultation with the Central Government in accordance with Section 29 of the Indian Railways Act, 1890. The Central Government can also intervene in an emergency under the Railway Companies (Emergency Provisions) Act, 1951 and appoint directors of the Railway Companies for the purpose of taking over its administration.

Nationalisation of Branch Railway Lines run by Private Firms

52. **Shri P. C. Borooah:**
Shrimati Maimoona Sultan:

Will the Minister of **Railways** be pleased to state:

(a) which of the Branch Line Railways are still run by private firms;

(b) by what companies are these Railways operated; and

(c) what is the Government's general policy as to the question of nationalisation of these Railways?

The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy): (a) and (b). A statement showing the information is laid on the Table. [*See* Appendix I; annexure No. 12].

(c) The Government's general policy in the matter of nationalisation of these railways is that in order to create additional rail transport capacity; all available resources should be concentrated on creating new assets under the Plan rather than on the acquisition of already existing ones, that no light railways should be purchased unless it becomes inescapable under the law for the Government to do so. Every individual case is carefully considered as and when the option in respect of pur-

chase by the Government of the different lines comes up.

Evaluation of Health Programmes

53. Shri Bhagwat Jha Azad: Will the Minister of Health be pleased to state:

(a) whether Government propose to set up an independent organisation to evaluate health programmes; and

(b) if so, by what time the decision is likely to be finally taken?

The Minister of Health (Dr. Sushila Nayar): (a) and (b). A scheme for the establishment of an organisation for training and research *in public* health practice including evaluation of health programmes is under consideration, but it is not possible to say at this stage when a final decision in the matter is likely to be taken.

Medical College at Raipur

54. Shri Birendra Bahadur Singh: Will the Minister of Health be pleased to state:

(a) whether it is a fact that the Government of Madhya Pradesh have forwarded a renewed proposal for the establishment of a medical college at Raipur during the Third Plan period;

(b) if so, whether a decision has since been taken on the proposal; and

(c) if not, what advice the Government of India have communicated to the State Government?

The Minister of Health (Dr. Sushila Nayar): (a) No fresh proposals have been received.

(b) and (c). In October, 1961, the Government of Madhya Pradesh were requested by the Planning Commission to send a rough estimatte of the cost of the proposed medical college and also indicate clearly the adjustments proposed to be made in the State Plan to accommodate it. No reply has so far been received from the State Government.

वन गवेषणा संस्था, हरादून

५५. श्री भक्त दर्शन : क्या खाद्य तथा कृषि मंत्री २८ मार्च, १९६२ के अतारांकित प्रश्न संख्या ३१६ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या देहरादून की वन गवेषणा संस्था को विश्वविद्यालय का रूप देने के प्रश्न पर इस बीच निश्चय कर लिया गया है ; और

(ख) यदि हां, तो यह निश्चय कब से लागू होगा ?

खाद्य तथा कृषि मंत्री (श्री ल० का० पाटिल) : (क) अभी कोई निश्चय नहीं किया गया है ।

(ख) इस अवस्था में कुछ कहना कठिन है ।

Family Planning Clinics in Kerala

56. Shri Kunhan: Will the Minister of Health be pleased to state:

(a) how many Family Planning Clinics are functioning at present in Kerala;

(b) how many of them are in the rural and how many in the urban areas;

(c) how many members of Family Planning Advisory Board are there in Kerala; and

(d) what are their functions?

The Minister of Health (Dr. Sushila Nayar): (a) to (d). The required information is being collected and will, when available, be laid on the table of the Sabha.

Wagons for Movement of Coal to Madras

57. Shri Umanath: Will the Minister of Railways be pleased to state the steps taken to relieve the wagon shortage for the movement of coal to Madras State?

The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy): Coal is transported to South India partly by rail and partly by rail-cum-sea route. The requirements for movement by rail-cum-sea route are being met in full by the Railways. The all rail movement of coal to the South is regulated by quotas for despatches beyond Waltair, Bezwada, Raichur and Dronachellam due to capacity limitations. No separate movement quotas are fixed for movement to Madras State:

Apart from augmenting rolling stock required to step up coal loading in general, the sectional capacities for movement of traffic for destinations beyond Waltair and Bezwada which is the main trunk route for movement from Collieries to Southern India are being developed so as to accommodate the full movement of coal and other general goods to the South. In addition to the partial doubling of 93·5 miles in the Vijaywada Madras section already completed, further doubling of 84.5 miles in the same section has been sanctioned.

Railway Line from Cochin Harbour to Mavelikkara an Southern Railway

58. Shri Achuthan: Will the Minister of **Railways** be pleased to state:

(a) whether there is any proposal to construct a new Railway line from Cochin Harbour to Mavelikkara via Alleppey and if so what is the stage at which the matter lies now;

(b) whether any representation has been received for the construction of a new Railway for the construction of a new Railway line to connect Punalur and Mavelikkara on the Southern Railway; and

(c) if so, what action Government are proposing to take?

The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy): (a). No.

(b). Yes.

(c). The proposal is not included in the railways programme for the Third Five Year Plan.

New Railway Lines for Kerala

59. Shri Achuthan: Will the Minister of **Railways** be pleased to state:

(a) the new Railway lines recommended by the Government of Kerala for inclusion in the Third Five Year Plan; and

(b) the names of the new lines included by Government in the Third Five Year Plan in the order of their priority?

The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy): (a) A statement is laid on the Table of the Lok Sabha. [See Appendix I, annexure No. 13].

(b) None of the lines, as mentioned in the statement in answer to part (a) of the question, is included in the railways programme of construction of new lines for the Third Five Year Plan.

World Health Day

60. Shri P. C. Borooah: Will the Minister of **Health** be pleased to state:

(a) whether the Medical Department of the Delhi Administration launched an extensive drive to curb the incidence of eye diseases and blindness on the World Health Day;

(b) if so, what are the details of the schemes launched; and

(c) what progress has been achieved in the matter so far?

The Minister of Health (Dr. Sushila Nayar): (a) to (c). No extensive drive to curb the incidence of eye diseases and blindness has been launched by the Delhi Administration. In connection with the observance of the World Health Day on the 7th April, 1962 the theme of which was "Prevent Blindness", a programme was arranged in collaboration with the Delhi Municipal Corporation and the Delhi Medical Association to bring home to

the people that blindness can be prevented by taking due care of the eyes. The Delhi Medical Association also arranged a seminar in which eminent Opthalmologists took part. Posters on the theme of blindness were also distributed to the various institutions and in Rural and Urban Areas. The Delhi Municipal Corporation arranged a week-long programme of lectures and film shows in the various rural and urban areas.

Madras-Singapore Jet Service

61. Shri P. C. Borooah: Will the Minister of **Transport and Communications** be pleased to state:

(a) whether the Air India International has started a new jet service to Singapore from Madras;

(b) if so, what is the weekly frequency of the service; and

(c) what were the main reasons that impelled Government to start the new service?

The Deputy Minister in the Ministry of Transport and Communications (Shri Mohiuddin): (a) and (b). Yes, Sir. Air India International have started a weekly Comet service from Madras to Singapore from April, 1962.

(c) Air India International have decided to introduce Boeing 707 jet aircraft on all their services from summer 1962. Since Madras airport is not capable of taking Boeing 707 aircraft, the Corporation have started a new Comet service from Madras to Singapore to meet the traffic demands.

Co-operative Farming Societies

62. Shri Basappa: Will the Minister of **Community Development, Panchayati Raj and Co-operation** be pleased to state:

(a) how many new Cooperative Farming Societies are going to be established in different States in the Third Plan period; and

(b) what is the exact nature of help given by the Centre and the States in this matter?

The Deputy Minister in the Ministry of Community Development, Panchayati Raj and Co-operation (Shri B. S. Murthy): (a) 3180 co-operative farming societies are expected to be organised in the country in 318 pilot projects during the Third Plan. A State-wise break-up of the societies is given in the statement—A. [*See* Appendix I, annexure No. 13]. In addition, co-operative farming societies are also expected to come up outside the pilot project areas. No targets have been fixed for co-operative farming societies outside the pilot projects.

(b) The exact nature of the assistance given by the Centre and the States to the farming societies is indicated in the Statement—B. [*See* Appendix I, annexure No. 14].

Parasauni Bund on Gandak River

63. { Dr. Mahadeva Prasad: / Shri Sinhasan Singh:

Will the Minister of **Irrigation and Power** be pleased to state:

(a) the progress made in the construction of the Parasauni bund on the Gandak river to save the last year's flood devastated areas of Gorakhpur district;

(b) whether the said bund as decided in the Patna meeting of the flood control board, will be completed before the rains;

(c) what part of Gorakhpur district is to be benefited by the proposed Gandak-Kosi Project; and

(d) whether Pharenda Tehsil of Gorakhpur district is to be benefited or not?

The Minister of Irrigation and Power (Hafiz Mohammad Ibrahim): (a) The work has not yet been started as possession of the land on which the bund is to be constructed has yet to be taken over from His Majesty's Government of Nepal.

(b) No.

(c) North-eastern part of Gorakhpur District will be benefited by the Gandak Project. No portion of the District will be benefited by the Kosi Project.

(d) Yes.

Rudrapur-Deoria Railway Line

64. Dr. Mahadeva Prasad: Will the Minister of **Railways** be pleased to state:

(a) whether a survey was done for the construction of railway line from Rudrapur to Deoria via Padrauna to Maharajganj; and

(b) if so, whether any step is being taken to construct the said line?

The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy): (a) No, Sir.

(b) Does not arise.

Hindustan Shipyard

65. Shri P. C. Borooah: Will the Minister of **Transport and Communications** be pleased to state:

(a) whether the Hindustan Shipyard Ltd. has recently completed the construction of a big ship "the m.v. State of Punjab";

(b) if so, at what cost; and

(c) what are its salient features?

The Minister of Shipping in the Ministary of Transport and Communications (Shri Raj Bahadur): (a) Yes. The ship was delivered to the owners, viz., the Shipping Corporation of India Ltd. on the 6th April, 1962.

(b) The cost of the ship is expected to be finalised by the end of September, 1962, when the guarantee period will expire. It is expected to be about Rs. 196 lakhs.

(c) The ship is a convertible open/closed shelter decker type, cargo vessel of 12,379 DWT., with 17·2 knots speed. She has 5,000 cu. ft. of refrigerated cargo capacity and is fitted with deep tanks for the carriage of edible oil. Alternating current, electric equipment of the latest design is provided for all domestic services and deck and other auxiliaries.

Shipping Industry

66. Shri P. C. Borooah: Will the Minister of **Transport and Communications** be pleased to state:

(a) whether the Shipping Industry in India is suffering from lack of technical personnel;

(b) if so, to what extent; and

(c) what action is being taken to improve the situation?

The Minister of Shipping in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) to (c). The needs of the Indian Shipping Industry for trained technical personnel were adequately met in 1961. Government are constantly reviewing the position with a view to meet the increasing demand for technical personnel for manning the fast expanding Indian Merchant Navy.

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12 hrs.

PAPERS LAID ON THE TABLE

Karnafuli Dam Project in East Pakistan

The Minister of Irrigation and Power (Hafiz Mohammad Ibrahim): I beg to lay on the Table a statement regarding Karnafuli Dam Project in East Pakistan. [*See* Appendix I, annexure No. 15].

Shri S. M. Banerjee (Kanpur): I have a submission to make about this particular statement. It has come in the *Times of India* that they are unilaterally commissioning this Karnafuli Dam. I want to know whether they have actually started this commissioning of the dam as they have mentioned in the paper. It is a very serious matter.

Mr. Speaker: The question that is being put is whether they have

started that dam. If the information is with the hon. Minister and he can give it just now, he may do so.

Hafiz Mohammad Ibrahim: As far as my information goes, they have not started it.

RAILWAY ACCIDENTS (COMPENSATION) RULES AND RAILWAY PROTECTION FORCE (AMENDMENT) RULES

The Deputy Minister in the Ministry of Railways (Shri Shahnawaz Khan): I beg to lay on the Table a copy each of the following Rules:—

(i) The Railway Accidents (Compensation) Rules, 1950 (as amended uptodate) under sub-section (3) of section 82J of the Indian Railways Act, 1890. (*Placed in Library, See* No. LT-10/62).

(ii) The Railway Protection Force (Amendment) Rules, 1961 published in Notification No G.S.R. 1432 dated the 2nd December, 1961, under sub-section (3) of section 21 of the Railways Protection Force Act, 1957. (*Placed in Library, See* No. LT-11/62).

ORDERS UNDER ESSENTIAL COMMODITIES ACT

The Deputy Minister in the Ministry of Food (Shri A. M. Thomas): I beg to lay on the Table a copy each of the following Orders under sub-section (6) of section 3 of the Essential Commodities Act, 1955:—

(i) The Indian Maize (Temporary Use in Starch Manufacture) Order, 1962 published in Notification No. G.S.R. 462 dated the 5th April, 1962. (*Placed in Library, See* No. LT-12|62).

(ii) The Rice (Madhya Pradesh) Price Control (Third Amendment) Order, 1962 published in Notification No. G.S.R. 463 dated the 7th April, 1962. (Placed in Library, See No. LT-13|62).

(iii) The Rice (Punjab) Second Price Control (Second Amendment) Order, 1962 published in Notification No. G.S.R. 464 dated the 7th April, 1962. (*Placed in Library, See* No. LT-14|62).

(iv) The Rice (Southern Zone) Movement Control (Amendment) Order, 1962 published in Notification No. G.S.R. 474 dated the 14th April, 1962. (*Placed in Library, See* No. LT-15/62).

12.01½ hrs.

REPORTS OF ESTIMATES COMMITTEE

Secretary: The Chairman, Estimates Committee (1961-62) presented to the Speaker on the 31st March, 1962—

(1) Hundred and Sixty-Ninth Report (Second Lok Sabha) on the action taken by Government on the recommendations contained in the Ninth Report on the late Ministry of Education and Scientific Research— Secondary Education,

(2) Hundred and Seventieth Report (Second Lok Sabha) on the action taken by Government on the recommendations contained in the Ninety-Sixth Report on the Ministry of Rehabilitation— Eastern Zone,

(3) Hundred and Seventy-First Report (Second Lok Sabha) on the action taken by Government on the recommendations contained in the Seventeenth Report on the late Ministry of Education and Scientific Research— University and Rural Higher Education, and

(4) Hundred and Seventy-Second Report (Second Lok Sabha) on the action taken by Government on the recommendations contained in the Eighty-Eighth Report on the Ministry of Labour and Employment Part II—Director General, Resettle-

[Secretary]

ment & Employment and Labour Bureau.

The Speaker ordered printing, publication and circulation of these Reports under Rule 280 of the Rules of Procedure and Conduct of Business.

I lay a copy each of the four Reports on the Table of the House.

12.02½ hrs.

BUSINESS OF THE HOUSE

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): With your permission, I rise to announce that Government business in this House for the week commencing 23rd April, 1962 will consist of:

(1) Further discussion of the Railway Budget for 1962-63,

(2) Discussion on the Motion of Thanks to the President for his Address to Parliament.

As Members are already aware, the General Budget for 1962-63 will be presented to the House at 5 p.m. on Monday the 23rd April, 1962.

12.03 hrs.

RAILWAY BUDGET—GENERAL DISCUSSION

Mr. Speaker: Now we take up the general discussion of the Budget (Railways) for 1962-63. Time has not yet been allotted by the Committee, but there is a tentative proposal to allot four days. Can I have any idea of the time to be allotted? Or, we might begin just now, and then perhaps the Business Advisory Committee would meet and decide what time is to be allotted to this.

Shri S. M. Banerjee (Kanpur): Why not decide it in the House?

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): Instead of days, why not fix it in hours?

Mr. Speaker: That would be all right.

Shri Satya Narayan Sinha: Last time I am told it was 15 hours.

Shri Surendranath Dwivedy (Kendrapara): In this Parliament it should be 20 hours.

Mr. Speaker: If it was 15 hours before, unless there is something special now, we can perhaps stick to that.

Shri Nambiar (Tiruchirapalli): There is a new Minister.

Mr. Speaker: It is not enough reason that the Minister is new and therefore the time allotted should be new.

Shri Prabhat Kar (Hooghly): There is enhancement of the rates and fares.

Shri Warior (Trichur): There are many new Members also.

Mr. Speaker: That is all right. The number is the same, whether they are new or old.

Shri Daji (Indore): Last time it was a lame duck session.

Mr. Speaker: I will allow an hour or two more. That is because the rates have been increased.

Shrimati Renu Chakravartty (Barrackpore): May I point out one thing? If the Minister of Parliamentary Affairs looks up the records he will find that the time allotted last year and the year before last was much more. I think the allotment was a little more last time.

Mr. Speaker: If this has to be looked into, I would prefer looking into it

in the Business Advisory Committee because that would be better. Then, it should not be insisted that the time should be allotted just now. We will look into it and see all other things and then, perhaps, we will be able to decide. Then, the House may ultimately take a decision.

Members are aware that ordinarily there is a time limit for speeches in such discussions. Normally, hon. Members would have 15 minutes each; but if they are leaders of groups or they represent groups as first speakers, then, they will have some time more, say 20 to 25 minutes. I think 25 minutes should be enough.

Shri Nambiar: Mr. Speaker, Sir, the hon. Railway Minister, in his present portfolio has presented this Budget . . .

श्री रामेश्वरानन्द (करनाल) : अध्यक्ष महोदय, यह जो आप आदेश दे रहे हैं, ये हिन्दी में भी दिये जाने चाहिए ।

अध्यक्ष महोदय : बहुत अच्छा जी, मैं इस बात का खयाल रखूंगा । जो आपने हुक्म दिया है मैं इस बात का यत्न तो करूंगा, अगर आपको यह भी खयाल होना चाहिए कि इस सभा के एक एक मिनट का कितना खर्चा होता है । इसलिए जब मैं आप से बात करूंगा तो हिन्दी में ही करूंगा इसकी आप तसल्ली रखें ।

श्री रामेश्वरानन्द : व्यवस्था देते समय जो आप आदेश दें वे हिन्दी मे भी होने चाहिए ।

अध्यक्ष महोदय : बहुत अच्छा ।

Shri Nambiar: The new Minister with this new portfolio has presented us with a new Budget proposal to increase the fares and freights from now on. He estimates thereby to get an additional revenue of Rs. 21·26 crores, which, I consider, is a gross underestimate. When we come to the actual figures we will be collecting more than Rs. 21·26 crores from the people. And, those who are using the railways, using the third class and second class compartments and those who consume the goods that are carried by the railways will have to bear the main brunt of this new taxation, which, I consider, is most uncalled for and unnecessary.

While arguing his case for an enhancement of the fares and freights, the hon. Minister quoted the recent enhancement of the dearness allowances of the railway employees as one of the main reasons. I would bring to your notice the figures he has supplied. According to his estimates, the gross receipts for the current year will be to the tune of Rs. 545.36 crores and the expenses will be to the tune of Rs. 356.86 crores leaving a gross profit of Rs. 178·50 crores. Without this increase of fares and freights, Shri Jagjivan Ram, his predecessor, had presented us a Budget a month back wherein he envisaged a gross profit of Rs. 178·50 crores. When we have already got the possibility of getting a gross profit of Rs. 178·50 crores without resorting to this new taxation, what is the justification for the hon. Minister now to come forward with a proposal which hits the common man?

I would request him to take advantage of this surplus and pay the employees the additional dearness allowance which, even according to his own figures, will come to only Rs. 12.20 crores. Why should he resort to this new taxation? He has no justification whatsoever. He says that if he did not resort to this taxation this increase in the fares and freights, he would have the necessity to borrow money from the General Revenues to augment the expenditure of the Development Fund. Here again, I submit that he is misleading the House and the public and is finding an excuse to tax the poor. What is the necessity for such borrowing when there is already a gross profit? The Railways are now in a boom; the

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profits are increasing every year. When that is the case there cannot be any justification excepting that he finds excuses which I shall narrate later on.

Shri Harish Chandra Mathur (Jalore): Has the hon. Member taken care to read the Railway Convention Committee report and what they say about the development fund?

Shri Nambiar: I am coming to that; I shall deal with it later on. I can understand if he says that he wants money for the Five Year Plans.

Mr. Speaker: There is one thing that I might request the hon. Member. I am glad he has come back very much enthused and invigorated; I am happy over that.

Shri Tyagi (Dehra Dun): He speaks louder.

Mr. Speaker: When we have to say certain things the language must also be moderate; the same meaning might be conveyed but it should be in some indirect form. He said that the Minister was misleading the House. Instead if he had said that the statement made by the Minister was misleading, perhaps that would have been an improvement. I would ask him to take care.

Shri Tyagi: It comes to the same.

Mr. Speaker: It does not. The statement need not be deliberate. Some statement might be made and an hon. Member might think that it is not a correct statement and perhaps some might be misled while some others may not be. But if he says that the Minister is misleading, it means that it is a wilful attempt on his part and that is not good. Let us jus lay down certain standards of debates which we must conform to.

Shri Nambiar: I stand corrected. But I submit that the facts would definitely prove my statement later on. I can understand the hon. Minister telling the House that in order to help the Plan activities he is using the railway mechanism, to tax the poor and get money. There is no objection. But why should he drag unnecessary issues to the forefront and make it appear that because of the enhanced dearness allowances he had to do this? It is not proper. The white paper on the railways states clearly that the Railways had improved during the last eleven years. It is stated that during the last eleven years, there has been 100 per cent. increase in goods traffic in net tonne miles, 25 per cent. increase in the number of passengers originating, 84 per cent increase in capital outlay and 70 per cent increase in working expenses. The facts show that the increase in the number of railway employees is 2,47,161, including casual labour employed, namely, 12,422. With 25 per cent more men the railways had been carrying on 100 per cent more freight during the last 11 years. We can thus see that the railwaymen are under-staffed and as their state of affairs shows, underpaid as well. They are unnecessarily and wrongly brought into the picture now, when fresh taxation is resorted to and they are made to appear responsible for that; they are put in opposition to the public. The public, when they pay the extra tax, will be made to feel that they are paying the tax because of this worker, who is demanding more dearness allowance, this worker who went on strike last year and this worker who is doing all the calamity. But the facts show that it is not so.

Coming to the actual state of affairs in our railways, I would submit that there is a recommendation in the Railway Convention Committee of 1954 that whenever money is required for developmental activities, they can resort to borrowing from the general revenues. In that, it is stated that if there is no possibility of repaying it, normally, it can be done leisurely in

the periods when profit is made. Therefore, even granting the argument that money is required for the development activities, he can do so by borrowing. But here, in this case, even that is not necessary. That is my humble submission. The recommendation permits him to do it. He can do it in the face of that recommendation. The recommendation says that he can borrow monies and use them and repay them leisurely; and there is no necessity for an immediate enhancement of fares and freights on that account.

I am now coming to another aspect of the question. The Railway Convention Committee of 1954 recommended that the depreciation reserve fund should be increased to Rs. 35 crores from Rs. 30 crores. Subsequently, they referred the matter to another Railway Convention Committee. A resolution was brought to Parliament and got approved, and it was arbitrarily increased to Rs. 45 crores. That was the first step.

Another point is this: the Railway Convention Committee of 1960 was made to accept the recommendation of a greater allotment, which is also wrong. According to any procedure, that is being followed in respect of any industry in this country, private or public sector—leave alone the railways—the depreciation allowed cannot be more than 2·5 per cent. In respect of the railway locomotives or carriages, the amount that is spent on capital can be regained during the course of 40 years. That is a well-established fact. According to the latest figures that are given, I submit that the capital-at-charge stands already inflated due to over-capitalisation. Even without granting any exemption from this over-capitalisation, taking it for granted that the capital at charge is Rs. 1,700 crores, by no imagination can the depreciation amount be fixed anything more than Rs. 42½ crores. Now, we are called upon to give Rs. 70 crores per annum in the name of depreciation reserve fund. Why call it depreciation reserve fund? You just say that Rs. 70 crores are required for the Five Year Plan activities.

Mr. Speaker: The speeches are to be directed towards the Chair.

Shri Tyagi: In that case, he has to be more polite.

Mr. Speaker: That is exactly the purpose why I said so. If he were to address only the Chair, I am sure he will be more polite and more docile.

Shri Warior: If the hon. Member is impolite, you can find out. Why should Shri Tyagi come in? It is for you to find it out.

Mr. Speaker: I leave it to hon. Members also.

Shri Nambiar: My humble submission is that all these interruptions should be accounted for and not counted in the time taken for my speech. I have no objection to such interruptions in that case.

Mr. Speaker: These interruptions are also part of the game.

Shri Nambiar: If the railways wanted money, they can straightway take it. They should not come under the cover of the depreciation reserve fund.

I submit that there is another fund lying ide, about which much is not being said or discussed. They may say tomorrow that the ways and means position does not permit such a thing. That fund is called the revenue reserve fund. It is a defunct fund. That was lying idle up to the extent of Rs. 55·36 crores. That fund can be made use of and a loan can be taken from it. When so much liquid cash is available with the railways as a reserve amount, why is it afterall necessary to touch the poor man who is already taxed from all sides and who is again asked to pay more? Now a third class passenger who comes from Madras to Delhi will have to

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pay Rs. 3 or Rs. 4 more. So also in other lines. What is the justification for doing that? In what way is that passenger getting more in return?

So also the goods that are being carried. The hon. Minister has not cared to leave out even foodstuffs; the very rice, potatoes and fruits that we are getting are going to be taxed more. He may say, it is only small. If it is small, then leave it. The season tickets will also cost more. He says, it is after all only 1 nP per day and for 30 days it becomes about 40 nP. That is his arithmetic. His argument is, it is only one naya paisa, but I am putting it to him: If it is only one naya paisa, omit it, and let not at least the industrial workers, the middle-class wage-earners who go from place to place for duty, be asked to pay more.

Regarding the railways' capacity and the railways' prosperity, the white paper gives the answer. On page 7, it is stated:

> "It has also been possible for the Indian Railways to consistently earn a net surplus, after meeting all expenses including appropriation to Depreciation Reserve Fund and the prescribed fixed return on Government capital (dividend) which secures to the general exchequer a margin over and above the average rate at which interest is paid by the Government of India on public debt."

I would like the words "over and above the average rate" to be underlined. Then it says:

> "A small margin will still remain, even if allowance is made for some of the higher rated external loans raised by the Government of India in recent years for the Railways."

I want to underline the words "A small margin will still remain". This white paper was prepared by Shri Jagjivan Ram before he contemplated the idea of enhancing the fares and freights. While our railways are in such a good boom—it is meeting all the expenses and it is giving more to the exchequer; it is so lavish—it is unfortunate that we have to hear from the new Railway Minister, Sardar Swaran Singh, with all his newness, that he is taxing the poor again. I have already said that the answer is to be found in the Depreciation Reserve Fund and the Revenue Reserve Fund. There are so much of reserves there.

I for one cannot even agree to this sort of allotments continuing further. The Britishers started these allotments, so that they could give a wrong picture to the public, when they wanted to fleece them. Why should we stick to that method? We should have a straight budgeting—so much gross earnings, so much expenses, so much of profit and from that profit we are alloting so much dividend in the name of interest, so much for depreciation, etc. That will be straight budgeting. We expect the Minister to alter his procedure of accounting and budgeting to one which an ordinary man can understad. I am sure many hon. Members in this House find it difficult to know where the thing is; it is so cleverly put. The Britishers gave the lessons and we should not continue to follow them. We should think of some change in budgeting.

Coming to efficiency, I have all respect for the railway staff, officers, members of the Railway Board and the Minister for whatever improvements have been done. Let it not be understood that I am decrying our railways. But I may submit that the efficiency is the lowest at present. I may be excused for stating a frank truth. 100 per cent increase in ton mileage of freight and 25 per cent in carrying capacity of passengers have been brought about without proportionate increase in staff. How could it go without inefficiency and acci-

dents? I know the condition of a railwayman on the spot. They are terribly under-staffed in lines, loco-sheds and workshops which give room for more accidents.

It is given in the report that 68·8 per cent of the accidents are due to engine failures and failures of rolling stock etc. Why is it that engines and rolling stock fail? It is because of improper maintenance, improper repairs. Why is it that there is improper maintenance and improper repairs? The authorities will immediately put the blame on the employees. They will say that the employees are lazy and they do not work well. But the facts will reveal that they are working under great strain. The mileage of gang-length has been increased from 3 to 4 and the number of men have not been increased. Even the available number of men are not permanent employees, they are put as casual labour on the pretext of economy. The casual labour do not know anything with the result that work of maintenance and repairs on permanent way is not done properly as a result of which accidents occur. When accidents occur, quarrel arises between the engineering department and the mechanical department. The engineering department will say that the track was all right, and the mechanical department will say that the engine was all right. Then how the hell did the accident occur? They say that the accident came about because somebody tried to remove the fish plates, an unknown man is caught and every blame is put on that man. Nobody can find out the truth. Thus, all the departments escape. The maharajas sitting here say it is God's anger that creates accidents and let all pray God that accidents do not occur. But the facts are different. When the Demands come up and we will have an opportunity to say something, we will throw light on many more facts which will prove that my statement is correct.

Then, in the Gangs and in the workshops, workmen do not get sufficient leave reserve. It has come to the barest minimum. I will tell you what happens now. When an employee does not get leave even to attend to his sick mother or wife, he goes to the hospital and reports sick himself. Actually he is not sick, but his father or mother is sick and because it is not possible for him to get any leave he reports himself sick and if necessary pays two or three rupees to a doctor and gets a certificate for two days leave. Then the authorities do manage without him. If that were so, why could they not have managed even otherwise and given him the legitimate leave.

Also, the working hours have been increased. On many important posts on the open line working hours has been increased from 8 to 12. I am not revealing a secret when I say that our engine drivers and foremen are working more than 12 hours per day. Previously the rule was that a driver or a loco running staff man has to work for 12 hours on the Engine Footplate, if necessary, and then claim rest. The former procedure was to calculate the time from the time of 'signing on' to the time of 'signing off'. Then a driver used to go to a loco shed, sign on, take an engine, operate on the line, sign off, after taking it to another loco shed and take rest after working for 12 hours. Now they have changed the rule. Now they say that the time will be calculated from the time the wheel moves. What happens is, a driver takes an engine from the loco shed and goes to the traffic yard and if the train is late he has to stand there for four or more hours with the engine. That time is not calculated for the purposes of his rest and only from the time his engine moves the period of 12 hours work is calculated. That means he can claim rest only after 16 hours. In some cases, I know, drivers could claim rest only after 22 hours. With such state of affairs, can you imagine that a driver can take an engine safely to the destination? We have brought these facts to the notice of the Railway Administration through

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the agency of trade unions, but they say that the rules have been changed and the period is calculated only from the time the engine moves. That means, once the rules have been made by the nawabs they cannot be changed. The nawabs do not change the rules with the result that our poor travelling public are put to difficulties on the way.

I have to make a mention about the labour relations. Labour relations, the hon. Minister submitted, are good. I wish it to be so. If it is not good, may I ask the hon. Minister whether he is prepared to change some methods by which he can expect bet'er relations. Sir, facts show that partiality, nepotism and favouritism are there in dealing with labour relations—not in the matter of appointments or promotions. Some are favoured groups, some are unfavoured groups. Unfavoured groups get no sort of encouragement in dealing with labour problems and they would not even get a reply to a letter. These are the problems which the hon. Minister has to deal with now.

I must give him some time to look into these matters. I should not accuse him of a thing for which he is not responsible. Therefore, I request him to go into this matter deeply and bring in some formula, some method, which is impartial in dealing with labour matters. Let him not indulge in political quarrels and political squabbles in dealing with labour, because then the labour in turn will have to retort with political squabbles with the result that the railways will go to the dogs. Such a situation should not be allowed to be brought about.

Lastly, I want to say a word about those who were victims during the days of the last general strike. Only a few of those who have been removed from service are yet to be absorbed. I request him to reinstate those poor employees. Also, those punishments which the administration had imposed like stoppage of increment etc. should be reviewed and those employees made to feel that they are justly treated so that better relations can prevail in the railways.

My only intention in criticisng the new taxation measure is to see that the common man should not be made to suffer. My only intention in referring to the labour problem is to see that better relations exist in the railways. I am one of those who is always willing to try to do my best to see that our railways are run as the best in the world and I, not only as a member of this House but as a member of the public, as someone connected with the railway trade union for a number of years, will extend all my co-operation to the Railway Minister to see that our railways progress and improve to the maximum extent possible.

Shri Frank Anthony (Nominated—Anglo-Indians): Mr. Speaker, first of all, I would like to welcome the Railway Minister to his post and to wish him good fortune. And I think he will need all our good wishes. I feel that he can under no illusion as to the tremendous challenges, the great responsibilities that he will have to face. Without seeking to underline or make any invidious comparison between one Ministry and another, may I respectfully say to him that the Ministry which he has just left will relatively be child's play compared with the enormity of the task that he is now called upon to face. And, unfortunately, he comes to this Ministry which has an extremely mixed legacy. I appreciate his difficulties. He has a tremendous backlog of all kinds of things—track renewals, coaching stock, rolling etc and not the least important a system, or some kind of a tradition which is not healthy, which is a near colonial tradition. He has a good deal of sheer dead wood in the administration of the railways. He has very good people around him, but there is in the railway administration some kind of special bureaucratic affliction.

I do not know why, but it is there. It is a dead blank wall. And may I say this with great respect that over a period of more than twenty years I have found, with few exceptions, that the Ministers are assimilated to this bureaucratic tradition, that they come to it with some kind of forward-looking attitude, some kind of imaginative approach but as soon as they touch the railway administration it deadens them? That is part of this unfortunate legacy. And not the least—perhaps the most important factor—is the tremendous burden that a developing economy has suddenly imposed on the railway administration, more than on any other administration. And I will come to that immediately. I consider that the very core of the problem that the new Minister faces. Here I want to tell you that when two years ago, or rather three years ago, I analysed the allocations and I analysed the provision for increased carrying capacity I noticed, and I said it without qualification, that not only are you grossly under-estimating the additional carrying capacity that you will have to face, but you are doing it to a dangerous extent. I forecast increasingly grave bottlenecks both in regard to the private sector and the public sector and those bottlenecks are there.

I want to deal a little with the backlog. There was your estimate last year of the provision in respect of increased capacity of 15 million originating tons. That was your own target. Your own estimate of increased additional capacity was this, namely, 7 to 8 million tons on account of coal and a similar amount on account of steel. That is, the increased burden on account of coal and steel alone would be in the region of 15 to 16 million tons on your own showing. Yet, you provided or hoped to provide additional capacity of 15 to 16 million tons. I posed this question. I said, "What is going to happen to the rest of trade and industry? Is it going to stand still? It will not only have to stand still but it will have to go backwards." That is precisely what has happened.

No amount of statistical gymnastics is going to do away with this simple arithmetical assessment. Your own estimate was grossly inadequate. Your own estimate was capable of only meeting the increased demands of coal and steel. Your own estimate, as I said, was gravely dangerously understated, but even that understated target you did not achieve. My own interpretation of the figures is that of this target of 15 million additional tons you only achieved 10 million tons.

I ventured to say last year and the year before, that on your own showing, if there were not to be near crippling bottlenecks in respect of trade and industry, on your own estimate you would have to provide a minimum additional capacity of 20 to 25 million originating tons.

Mr. Speaker: I have to request Shri Anthony to address the Chair.

Shri Frank Anthony: I am using the pronoun 'You' in inverted commas. I am sorry.

As I was saying, I felt that this provision at the end of the Second Five Year Plan was grossly inadequate. Even this inadequate target was not achieved. What actually happened? We had a controversy here between the hon. Minister in his previous capacity and the hon. Railway Minister, one hon. Minister blaming the other for bottleneck in respect of transport of coal. But I would ask this question. What figures, if any, have we got with regard to the amount of actual offering by trade and industry even at the end of the Second Five Year Plan? Nothing.

As far as I am aware there is a ceiling fixed to registration at each station. I am not blaming the administration. After all, there has to be a ceiling at Delhi. Delhi is so hemmed in physically that there is no capacity for the Delhi Yard to be enlarged. But there are ceilings in respect of registrations. My own information is that even with regard to those ceilings, even those restricted registrations have not been able

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to be carried through. Either they have not been able to accept the registrations even to the amount of the ceilings or, even if they have been accepted, there has been inordinate delay in transport. Therefore we have absolutely no way of assessing what in fact were the requirements of trade and industry in the country. All I have said is that on your own showing there is a shortfall each year in the last two years of the Second Plan of 10 to 15 million originating tons.

This is what rather perturbs me. There is this gap between promise and performance. Your promise was an understated promise. Even that understated promise you were not able to achieve.

Now, I am wondering what is going to happen with regard to the promised targets in respect of the Third Five Year Plan.

The Railway Minister has set a target of 245 million originating tons in the final year of the Third Five Year Plan. The Minister's target or the Ministry's target in the final year of the Second Five Year Plan was 162 million originating tons. Admittedly, there was a shortfall of 8 million tons in respect of your target at the end of the Second Five Year Plan. A target is being set of 245 million tons in the final year of the Third Five Year Plan. More than that, the Minister's statement says, "Yes, we have set this target, but as a matter of fact we expect to achieve a much higher figure". I hope for the sake of the Railways, and more for the sake of the country, these promises can be implemented.

But I have tried to analyse what in fact has the Ministry promised the country and what the figures were during the Second Five Year Plan. In no year did the Railways achieve additional capacity of more than 9 million tons—in no year. In 1958-59 the additional capacity added was above 3 million originating tons, though the average during the Second Five Year Plan period was between 7 and 8 million originating tons of additional capacity.

Now, we have been promised additional capacity of an average of 18 million originating tons, more than twice the average which was struck for the Second Five Year Plan period. Can we achieve it? I am not only hoping, but I am praying, that we will achieve it. But, with this overall increase of a mere Rs. 200 crores, are we going to be able to achieve anything like a net addition of 18 million originating tons to our carrying capacity? I doubt it very much.

Assuming that the Railways can, my respectful submission is that even if we achieve 18 million originating tons of additional carrying capacity, it is going to be a hopelessly inadequate provision. That is my own estimate. And on the Minister's own showing, he has said that of these 18 million originating tons, nearly half will be allocated for steel and half for coal, probably 9 million tons. Then what is going to happen to the rest of the public sector? And what is going to happen to the rest of the private sector? I just do not know.

And this is where I join issue with the Government as a whole. I do not blame anybody; Shri Jagjivan Ram has been removed—not removed, moved—for what reasons, I do not know. Unless my friend the new Railway Minister is prepared to fight and to make an issue of it—an issue of it to the extent of saying, 'I am prepared to resign"—he will share the same fate as the Railways have shared, but, I hope, not the same fate as his predecessor. Inevitably.

I am one of those who are completely against any pruning of our plans. But I am one of those who say that in spite of this euphemism, there is no real planning, no semblance of co-operation. Here we have

the public sector obviously completely outstripping the Railways. Why? A hopelessly lop-sided development. I join issue completely with my hon. friend Shri Nambiar who seems to think that the Railways have plenty of money. I am not suggesting that there is no waste on the Railways. I am prepared to concede that in every vast undertaking there is bound to be an element of waste. I am prepared to concede even that there is avoidable waste on the Railways. But my own humble estimate is that unless there is some radical re-thinking with regard to the Railways, the whole plan will collapse. It will collapse because the Railways will not be able to carry it.

I think the Minister should have on this—I do not know, I am not enamoured of committees and commissions—but on this I think he should have some high-powered Commission. And don't have too many politicians on it who have their own predilections. Let them go into the matter, because this is the very heart of the success or otherwise of our whole Plan. With steel and coal taking up so much of the additional capacity, what is left for the public sector; and what, if anything, is going to be left for the private sector? Nothing. That is why I feel that this is a grave matter and it will require a good deal of analysis by experts.

My hon. friend here has criticised the Railways for imposing a tax on fares. My own feeling is this, and I make it as a suggestion. If the Railways want money,—and they want money and they certainly want much more mone than the have got today—can't this be considered seriously, a complete moratorium on contributions to the Central revenues? I make it in all seriousness. Apart from asking the hon. Finance Minister to give up some of his wild hobby horses like the prohibition,—it is going to be difficult, he has made a large spiritual investment in it, it might release a little more money. Where are the Railways going to get the resources? How are the Railways going to run? They are going to have to sprint to stand still. Look at this tremendous backlog. I will come to rolling stock. Even that backlog the Railway Ministry is not going to catch up with. How are you going to provide for all the additional requirements in order to meet this additional capacity, I do not know. That is why I seriously feel that there should be a high-powered commission in this matter.

The Railways may have been a favourite milch cow in the past. With this tremendous burden that has been imposed on them, you cannot make the Railways a milch cow any longer. What happened? Apart from the dividends—I have always been against a dividend to the Central Revenues, at least in the face of the present heavy financial commitment—the Finance Minister comes along and imposes a tax on fares. It is a novel device and if I may say so, a somewhat devious device. So far, the Railways have been a milch cow for the Central revenues. A tax on railway fares is a dubious device for financing the State Governments. Tomorrow,—there is a good deal of difference of opinion as to the functioning of mal-functioning of our panchayats; some people say that they are not functioning at all because they have no money—we will get some other kind of tax so that the Railways can be milked again in order to provide revenue to the panchayats. All that has got to be stopped.

I am not suggesting that the Railways are not doing their best. My own view is that, by and large,—because, there are pockets of inefficency here and there—the Railways are doing more than their best. I have said it before and I repeat it today, that the Railways are flogging all their resources. They are flogging their men, they are flogging their material resources. We are paying the price; we will pay an increasing price. Here are the figures of improvement in operational efficiency. The Railway Minister may say, look at our figures: improvement in wagon miles per wagon day, engine miles per

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engine day, net ton miles per wagon day, train miles per running track day: all show a consistent improvement. I am prepared to accept these figures at their face value. They show a definite improvement in operating efficiency in certain facets. But, what is the obverse side of it? It is significant. The obverse side of it is this. On the broad gauge, what is the locomotive position? In 1950-51, the percentage of over-aged locomotives was 23. In 1960-61, over-age has gone up to 25.4 per cent. That is, there are more over-aged locomotives today on the broad-gauge. And, the broad gauge carries three-quarters of our traffic; more than they carried ten years ago. I agree entirely with my hon. friend Shri Nambiar with whom I do not often agree, that because of this complex of flogging and achieving of these figures of operational efficiency, regard for maintenance has receded. I say this to the Minister and I want him to go into that.

Senior railwaymen today, on the loco side, particularly, want to resign *en masse*. Give them a chance and they will all resign, because you have no arrangements for repairs, because they are driven not only beyond the limits of human endurance but beyond the limits of ordinary safety. I know it. I get hundreds of cases in the year. Because of this fetish for showing this improvement in figures, there is very little maintenance. I do not blame the staff. But repairs are not carried out. People are taking out passenger trains with dummy brakes. There are no big repairs. And they are told 'You will take that engine out; otherwise, you will be suspended'. And senior railwaymen with some sense of responsibility say, 'We will not, and we cannot' and they refuse to work under those conditions.

Shrimati Renu Chakravartty: What happend to the driver of the Ranchi Express?

Shri Frank Anthony: He is only one. But it proves the rule. That is the position today.

My hon. friend may say, 'But, look at the figures for engine-failures; the figures are less'. I quite agree. But may I say with great respect that I am not persuaded to accept these figures with regard to engine failures, because I know the procedure for recording engine-failures? I know that there is a general instruction that all the actual engine-failures should not be recorded. They are deliberately kept down. Therefore, this alleged reduction in engine-failures is not an actual reflection of the actual position.

My. hon. friend Shri Nambiar has referred to the increase in the number of collisions. The number of collisions has increased. But what has distressed men is that the hon. Minister states—and I am prepared to accept it—that this increase in collisions, and the collisions generally, or at least 99.2 per cent of the collisions, are due to the failure of the human element. What is it due to. Is it that railwaymen have suddenly become less conscious of their duties? Is it that they have deliberately become inefficient? I do not accept this. Then, why is there this increase? It is there because the men are being driven. They have not got the resources. Maintenance is being kept at a dangerously minimum level. They are being driven. Therefore, there is the failure of the human element. 99.2 per cent of the collisions are due to this.

Then, on the mechanical side, it is admitted that the most pronounced factor in the cause of derailments is machanical failures. Here again, what are your derailments and your mechanical failures due to? As I said, it is because the railways today are driven. I do not blame the railways. They are being asked to perform an utterly impossible task, and they are handing down that utterly impossible task to their men and also to their materials. And the consequences are plain; the consequences are overtaking us already.

Then, there is the wagon position. I was looking at the wagon user position. That has improved. But the figures with regard to turn-around have shown a deterioration. I do not know whether my reading is correct. This means that wagons are being used more effectively, but that, so far as the loaded wagons are concerned, there is much greater delay in loading wagons and in the carrying of loaded wagons. That means in effect that there is an increase of empty haulage. This, I thought, was something which we should precisely not do, namely increase the haulage of empty wagons. That was my reading of the wagon position.

I would like to ask the Minister as to what is the policy of the railways with regard to the metre gauge. My own information is that at the break of gauge points, that is, at points where you have to change from the metre gauge to the broad gauge and *vice versa*, bottlenecks not only persist but have become infinitely worse. I do not know whether in the long-term the policy of the railways is ultimately to eliminate the metre gauge so as to remove these bottlenecks. So far as I can make out, there has recently been an extension of the metre gauge system. I would like to know what policy the railways have with regard to the metre gauge system and whether the Minister accepts the position that because we have these different guages, they are responsible for creating serious bottlenecks in respect of transport.

I do not want to say too much about the increase in passenger fare and freight rates. I join issue with my hon. friend, Shri Nambiar, who has tried to make out that the railways are flushed with money. On the other hand, what little I can see of the railways is that they are trying desperately hard to draw some kind of a facade of solvency over something which is almost near bankruptcy. So far as the increase in railway fares is concerned, to me it seems to be somewhat of a device. In the final analysis, what we get from fares is not going to represent more than a drop in the ocean of the requirements of the Railway Ministry. I do not know whether it would not have been a wise thing psychologically if the passenger fares had not been put up. As to whether there is a sound economic case for freight rates going up, different people may view it differently. But one consequence is very clear, so far as the freight rate increase is concerned, it is going to give another fierce impetus to our inflationary spiral.

Mr. Speaker: The hon. Member's time is up.

Shri Frank Anthony: I do want to say this, that so far as passenger amenities are concerned, I can see no real improvement. I see that there has been a steady deterioration in the coaching stock position. The overage coaching stock in 1950-51 was 29 per cent; in 1960-61, it has gone up to 35 per cent. As regards the coaching stock, that is, the passenger carriages, those of us who travel will say this, that in many parts of the country, passenger amenities leave everything to be desired. In the coaching stock, we cannot get lights. We get lights, but we cannot get fans. We get fans, but we cannot get lights. And so it goes on. With this increase in overage coaching stock, I can only see a deterioration in the overall position so far as passenger amenities are concerned.

I want to conclude on this note—I shall not refer to one or two other matters I had intended to do. I would make an earnest appeal to the Minister generally so far as the grievances of the staff are concerned. This has been a hardy annual in this House, something which has given rise to bitterness and frustration, particularly on the part of those who have had to deal with railwaymen for some

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considerable time. The Minister runs an organisation which consists of more than a million men. I am prepared to make every concession to discipline, to the need for proper administrative procedures, but I would ask him to bear this in mind that there is this fetish of the 'proper channel' in the Railway Administration. However flagrant an injustice, however blatant an abuse, the chances of getting redress are remote because of this unfortunate near-colonial tradition; the local boss deals with it and whatever he says and does is automatically affirmed right up to the Minister.

13 hrs.

I say this with a great deal of pain. I am hoping the Minister will change this bureaucratic attitude, where savagery is mistaken for discipline, and where a refusal to deal with legitimate grievances is identified with strength. It is a tragedy. To the Railway Minister I say this. I do not expect a judicial conscience from an administrator, but I expect some kind of human, administrative conscience. I do not understand why a Railway Minister should not look into a legitimate individual grievance, why he should take shelter behind this time-worn cliche that the aggrieved person should come through the normal channel, that this has been the decision of the General Manager and so the Minister refuses to look into it. I may here make a reference to a very great Railway Minister, Shri Gopalaswamy Ayyangar, who, in the very short time he was there, electrified the imagination of the railway workers, who began immediately to attract not only their confidence but their loyalty also. Why? He was not a politician, but he was a great administrator. If any one went to him with an individual grievance, he was not concerned as to whether the General Manager, who might have been his own son-in-law, had rejected it. He would look into it, and within ten minutes he would dictate his decision, overruling the General Manager, even if he was his own son-in-law. So, I would ask the Railway Minister to be pleased to approach the grievances of the railwaymen in this new and rather imaginative way.

I wish him well because I feel that, quite frankly, the progress and the health of his Ministry is synonymous with the progress and health of our country.

Mr. Speaker: Shri Harish Chandra Mathur.

I expect hon. Members who desire to speak to rise in their seats, so that I might be able to call any on of them.

Shri Harish Chandra Mathur: The hon. Member who has just preceded me has answered in full the main point made out by the previous speaker, more particularly regarding the revenues of the railways and their development fund. When he was speaking, I had intervened and drawn his attention to the Railway Convention Committee's recommendations where all these matters had been fully discussed. And this House, as a matter of fact had impressed upon the Railway Minister to take good care of his development fund.

Leaving that apart, certain details have been discussed by my hon. friend who is supposed to have certain expert knowledge on this subject, and who has been participating in the debate every year. I have no intention to go into these minor details. I would like to confine my observations to broad principles and certain basic problems which, if taken care of, will give us a good start.

I feel the great trouble with the railways is that even in this year of the Third Plan they have not got any transport policy. In the absence of a tronsport policy, there has not been the type of planning which we have always desired. I do not know how it happened that even the Planning Commission was awakened to this

important issue only while they were discussing the Third Plan. If you open the Third Plan, you will find that the main point stressed is the absence of any transport policy before us. This House has, from time to time, also impressed upon the Government, the importance of this particular aspect of the question. We have this Neogy Committee, and it is really unfortunate that, in spite of its having been appointed as early as 1958, nobody seems tobe worried about it, and it is only the other day that the Chairman of the Committee himself made a complaint that he had received no replies to the preliminary report that they sent out and the factual information which they had placed before the Central and State Governments and so the final report was being delayed. In the absence of this factual data and and the answers to these important questions, it is really difficult for us to go into matter. It is really expedient that this Committee's report is expedited and we have a transport policy placed before the House, discussed and approved by the House.

In the present state of affairs I think the railways have got to take special note of the point that they are not only the largest public sector enterprise, but they are almost—not almost, but as a matter of fact, they are—a monopolistic enterprise in the public sector. And when you have a monopoly in the public sector, the responsibility of that enterprise becomes all the more great because there is nothing to compete with it and nothing to tell you the true internal story. The other doy when we were discussing the airlines, by hon. friend, the Minister of Civil Aviation, told us that while all the standards were being fulfilled, the cost of the private sector was Rs. 500 compared to Rs. 800 of the public sector. If it is so, it becoms all the more necessary that we look into the working of the railways.

There has been no real enquiry into the working of the railways all these years. Even the Chairman of the Neogy Committee has observed very recently that even while we were planning, there have been acute and great mistakes in the planning of our transport facilities for the Second and Third Plans. We find there has been trouble all over the country so far as the transport of coal and other things are concerned. The hon. Minister of Railways tells us that there has been no difficulty and that the railways have fulfilled their targets. But I would like to call the attention of the Minister to the fact that it is not only in respect of coal, but in respect of various other commodities also, that when the Federation of Chambers of Commerce met here, they made a special complaint about the transport difficulties. When the hon. Minister of Commerce and Industry invited his Advisory Council, again in that Council where all concerned are represented, the main complaint was transport bottleneck. The other day when I asked a question about the movement of cement, I was told that there was no difficulty but I know of a particular cement factory where about 70,000 tons of cement got accumulated and it wos not being lifted simply because there was a transport bottleneck. It is only therefore natural that there should be an enquiry. Not only to satisfy this House, but to satisfy the country at large, it is necessary that we have a high power committee which will go into all these matters as also into the working of the railways, and recommend what further improvements can be effected in the railways.

This demand has been made from different quarters in this House, and I think it is time we gave our earnest attention to this matter.

When I ask for a high power commission to enquire into the planning and the working of the railways, I have got in mind a body like the Hoover Commission which was established in America. They appointed teams to go into the various aspects of the working of the railways and every department, and such a tremen-

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dous good came out of it. I hope it would not be taken that we are charge-sheeting the railways, that we are accusing the railways or making an indictment and that it is because of this that a public enquiry is demanded. It is for the benefit of the railways themselves that this is suggested. They are working in their own groove, in a particular rut, and it becomes necessary that some independent and fresh thinking is done, that such a commission examine the whole thing and all the aspects of the working of the railways.

I will now pass on to the next item; that is about freights and fares. I pointed out at the very outset—and it should be clear from my interruption—that I am not against an increase in freights and fares as such if they are needed; and I do feel it is necessary to augment our Development Fund. But what I wish to submit is that the Freight Structure Committte which we appointed is now almost out-dated and there are certain important aspects of national economy which are not taken into consideration by that committee. What worries me very much is that the increase in the freights which we are now proposing to introduce will have an adverse effect and impact on our development plans. They will adversely affect the decentralisation of the industry. The freight rates have been increased at a flat rate. As a matter of fact, we were all the time pleading that so far as the backward areas are concerned, so far as the decentralisation of industry is concerned, the freight structure on the railways should be so altered as to give an incentive for the development of those areas. But, what we find is just the other way about. The backward areas will suffer a very serious set-back and the development of industries will suffer a set-back. Instead of giving certain incentives for decentralisation, instead of helping the movement of material and the necessary equipment to these backward areas, we have done just the reverse.

I also feel that it is going to have an adverse effect on our export promotion. There is nothing so important at the present moment in the economic life of this country as the promotion of our exports. Of course, the hon. Minister has borne in his mind one particular item, manganese. But that is not the only item which requires consideration. There are various other items; and, therefore, this flat rate of increase of freights will, I think, be most unscientific and will be unsuited to the present requirements of our country. We have got to go into this question further and we have got to revise our freight structure in the light of the policies we have enunciated in our Third Five Year Plan. Our freight structure should be such as to help the fulfilment of the Plan; it should be such as will help the development of the backward areas.

Another thing which I would like to impress upon the hon. Minister is about efficiency of administration. I do hope that if the sort of Commission I have suggested is appointed it will have great effect. It is no use appointing just the type of committee which we have only to examine one particular aspect of railway administration, that is, accidents, under the Chairmanship of Shri Kunzru. We must examine the entire thing. It is not in isolation that we can examine the part played by particular staff and see how these accidents take place. The Commission should be an all-embracing one which would go into all aspects of administration.

Even at present there are two serious things which have got to be taken note of immediately. One is that the inspection on the railways has been very considerably weakened. Previously, we had the independent Inspectorate under the Ministry of Communcations. The Railway Board wanted to take it over; but because of certain feelings expressed on the floor of the House and because this question was taken up strongly, the inspectorate remaining independent

under the Ministry of Communications. But that does not play its role; it is not at all now in a position to deliver the goods. If it is to be rendered infructuous it is no use keeping an independent inspectorate. If it is to deliver the goods and if it is to have some importance which it used to have something must be done to rehabilitate it.

Apart from this, it is necessary that the railway administration itself strengthens its inspections. The inspections that are carried out today are almost a formal matter. I do not know if there has been any surprise inspection. If you just give notice that the Chairman of the Railway Board is going to a particular place, everything is spick and span; everything is taken care of. What is there for the Member of the Railway Board to go and see? Particularly those items which strike the general public every day are not there. Even if you go to the railway station here, which is under the direct nose of the Central Government, and where the Ministers go every day, you will find the whole platform littered with all sorts of things and it is dirty. But if you go to a wayside station for inspection, you will find everything is spick and span. It is just because no one takes the trouble of having a surprise visit or inspection. Something must be done about this.

The second thing is the devolution of power on which I have been laying particular stress. I would like the hon. Minister to tell us what has been the devolution of power from the Railway Board to the General Managers, and from the General Managers downwards. This is very important. You should give power to the man on the spot to take steps immediately. What is happening at the present moment is that to save one rupee you waste Rs. 100. If you just spend that one rupee in an unconventional manner you are going to be taken to task. That is the procedure; but, if you waste Rs. 100 nobody is going to ask you any question because by wasting this Rs. 100 you are going to regularise the expenditure of one rupee. It is because there has been no real parting of power and we have fallen a prey to past tradition. There is not that feeling, right from the top from the Members of the Railway to down below, to change that tradition.

I am not in agreement with the hon. friend who just preceded me that whatever the man at the bottom does goes right up to the Railway Board and even the Railway Minister and is dittoed. That is not correct. As a matter of fact, the position today is that nobody is prepared to take the responsibility. Therefore, something must be done about this matter also.

When we discuss the Demands I will go into details. I think the hon. Minister had given a promise on the floor of this House that there would be a further economy drive in the Railway Board itself and that he proposes to reduce the number of the Directors and Deputy Directors. But, when I look at the Budget papers I do not find this has been done. As a matter of fact, I find there are a huge number of clerks. Anybody who looks cursorily at the Budget papers will find that the number of class IV servants has increased by about 30 per cent. We had thought that the number of class IV servants would go down considerably. But we are not going to have anything of that kind. In the Railway Board I do not think the class IV servants are required for policy making; nor are these clerks required for policy making. It only increases the work considerably.

An Hon. Member: That is Parkinson's theory.

Shri Harish Chandra Mathur: I deal with Parkinson's theory when I speak on the Demands of the Home Ministry because this Parkinson's theory which has caught the imagination of many of our friends here is as illusory as it possibly could be. It is not the Parkinson's theory.

I know of a particular section in a Ministry here in the North Block. It would be interesting to know that there are about 11 persons in that particular

[Shri Harish Chandra Mathur]

section and there was not very much work for them. I am not giving the name of the section nor the name of the Ministry. The clerks themselves suggested to the section head that if he would reorganise the whole thing in a particular way the work could be done much more quickly. Nobody would listen to that. But, then, there was a change in the section head himself. The new section head had some drive in him; he listened to the persons concerned; and added something of his own. And, now, instead of 11 persons, they are working with 4 persons. All this is here in the North Block and nowhere else.

I think there is tremendous scope for economy everywhere but I shall deal with these matters later on.

Before I wind up, I would like to refer to a particular procedure which is followed in the Railways. When I address a letter to the Prime Minister or to my friend, the Minister, I get a reply quickly and under the signature of the Minister. But if a Member of Parliament were to write a letter to the General Manager, he condescends to send a reply after a few days signed by his private secretary. It does not hurt my vanity if a reply comes to me from a private secretary but I think it is absolutely wrong and it is against all sense of propriety. I say it is wrong because we do not get even this satisfaction of knowing whether the matter has received the personal attention of the General Manager. I think common courtesy requires that when a letter is addressed, particularly inviting the attention of the General Manager or some such officer, he should not find it difficult to write a D.O. letter back to the Member concerned. I hope the hon. Minister will issue general instructions in this matter that these matters which are referred to by the Members of Parliament may be attended to by the officers themselves and that they should make it a point to give a personal reply.

There is a lot of force in what is being said about personnel matters. The efficiency on the Railways is affected because the personnel concerned are most of the time worried about their personal grievances and we have not been able to devise any agency which will give satisfaction to theses people. I spoke at length about it the other day. Even the Home Minister gave us an assurance, when the Pay Commission report was discussed, that they would find some machinery on the lines of the Whitley Council. I do not know what the Railways have done in this matter. Some satisfactory agency must be devised which will give satisfaction. Maybe, what they are doing is correct but there is no agency which will give satisfaction and which bring the staff to the authority concerned and which will give them the feeling that they have represented their matters properly.

श्री प्रिय गुप्त (कटिहार) : अध्यक्ष महोदय, रेलवे बजट पर कुछ कहने के पहले एक चीज की याद आती है। जब कोई लड़की ससुराल जाती है तो उसको मां बाप का खयाल आता है, भाई का खयाल आता है, बहन का खयाल आता है, पति का खयाल आता है और इन सब के बारे में उसे सोचना पड़ता है। आज जब हम रेलवे बजट पर बोलने के लिए खड़े हुए हैं तो हमें ट्रेवलिंग पब्लिक का खयाल आता है, रेलवे में काम करने वाले जो मुलाजमीन हैं, उनका खयाल आता है, मजदूरों का खयाल आता है, बिजिनेसमैन जो हैं, उनका खयाल आता है।

जितना वक्त है बोलने का उसमें शायद न तो मैं पत्नी की, न भाई की, न बहन की और न बाप की ही अच्छी तरह से सेवा कर सकूंगा। लेकिन मैं कोशिश करूंगा कि किसी तरह से इन सब के बारे में मैं कुछ कहूं।

अध्यक्ष महोदय : रेलवे बजट का जहां तक ताल्लुक है, आप सिर्फ पत्नी ही बनने की कोशिश

इस वक्त करें ।

श्री प्रिय गुप्त : किस की पत्नी ? जनता की पत्नी, या किसी और . . . .

अध्यक्ष महोदय : जनता की ही । मैंने और किसी की तो नहीं कहा है ।

श्री प्रिय गुप्त : बहुत अच्छा ।

जहां तक रुपय पैसे के हिसाब किताब का सम्बन्ध है हमारे एक्चुअरी साहिबान जो हैं, दफ्तरों में जो सीनियर एकाउंटेंट साहिबान हैं, एकाउंटस आफिसर साहिबान जो हैं, वे इन तमाम फिगर्ज को देख चुके हैं और हमारे मिनिस्टर साहब ने भी इनको देख लिया है । इस वास्ते इस पर आज मुझे कुछ नहीं कहना है ।

So far as increase in passenger and goods fares is concerned. मुझे इस सम्बन्ध में रवि ठाकुर की एक पंक्ति याद आती है :

"जा किछु हाराय गिनी वोलने केस्टा वेटाई चोर"

हर मौके पर उसी मजदूरों को दिये जाने वाले डिअरनेस अलाउंस की रकम १३ करोड़ रु० का जस्टिफिकेशन दिया जाता है । जहां पर भी टैक्सेशन के डिस्ट्रिब्यूशन का सवाल आता है तो उसी १३ करोड़ रु० का उल्लेख किया जाता है । इसीलिये कहना पड़ता है :

"जा किछु हाराय गिनी वोलने केस्टा वेटाई चोर"

इस का मतलब यह है कि कभी भी अगर घर में कुछ खो जाता है तो नौकर बेचारे को पकड़ा जाता है कि वह ही चोर है । खैर, मैं यह कहन चाहता हूं कि अगर देखा जाय तो पता चलेगा कि पहले जो ३० रेलवे जोन थ, उन को काट कर ६ बनाया गया । ४,००० रु० पाने वाले ३० जेनरल मैनेजरों को काट कर ६ पर लाया गया, इस से कुछ एकानमी हुई अच्छी बात है । आहिस्ता आहिस्ता काम शुरू हुआ ।

It is like the abolition of the zamindari system and bringing in the intermediary people in the provinces.

आसाम मे जो तमाम माइलेज रेलवे का था और उन में जितने अफसर थे उनको सेपरेट कर के अलग से दो रेलवे क्रिएट की गई और पहले से दो गुने अफसर वहां रखे गये । ६ जोन्स की जगह पर ८ किये गये लेकिन अफसर उतने ही हैं ।

I will be glad to know if a single general manager or a single head of the department getting Rs. 2,200 has been declared surplus and forced to retire due to the shrinkage of posts due to the abolition of the 30 railway system and their reduction to six systems.

वे अफसर कहां गये ? जो पोस्ट्स सर्प्लस हुई थी वे कहां गई ? वे आदमी रिटायर हुए या नहीं ? क्या उन का पेन्शन दे कर फोर्स्ड रिटायरमेंट किया गया ?

Is it not bad economy?

The Deputy Minister in the Ministry of Railways (Shri Shahnawaz Khan): Is it the contention of the hon. Member that the railways should work without heads?

Shri Priya Gupta: I do not mean that. I do not know if comrade Shahnawaz Khan does not understand me.

मैं बतलाना चाहता हूं कि मेरे कहने का मतलब यह है, हुजूर . . . .

अध्यक्ष महोदय : इस हाउस में सब बराबर हैं, यहां हुजूर कहने की जरूरत नहीं है ।

श्री प्रिय गुप्त : मैं रेलवे में मुलाजिम था न, बराबर during the whole year

[श्री प्रिय गुप्त]

३६३ दिन, घंटों तक मुझ में एक तरह का इन्फीरियारिटी काम्पलेक्स रहता था। वहां अले ही सब हाथ मिलाते हैं लेकिन इन्फीरियारिटी काम्पलेक्स अभी चलता है।

अध्यक्ष महोदय : मेरा काम है, आप को बतलाना।

श्री प्रिय गुप्त: I am glad; I will keep it in mind. मेरा मतलब यह है कि अफसरों को घटाने के लिये ६ जोन किये गये। मैं यह चाहता हूं कि अफसर जरूर रहें, लेकिन बेजरूरत सब न रहें। जब ६ जोन बनाये गये तो उन ३० अफसरों में से जो ज्यादा अफसर बचे वे कहां गये। इस के लिये मैं ज्यादा नहीं कहना चाहता लेकिन यह हमारी एकानमी का नमूना है।

इस के बाद प्लैनिंग का सवाल देखिये। यहां पर Plan implementation के लिए ट्रैफिक डिपार्टमेंट में एक डिस्ट्रिक्ट आफिसर है, इंजीनियरिंग डिपार्टमेंट में एक डिस्ट्रिक्ट आफिसर है, एलेक्ट्रिकल डिपार्टमेंट में एक डिस्ट्रिक्ट आफिसर है, मिकैनिकल डिपार्टमेंट में एक डिस्ट्रिक्ट आफिसर है।

'These extra officers' posts are **आल फार मेक ग प्लैनिंग सक्सेसफूल**। इस के लिये क्लर्क एक भी नहीं रखा जाता। उन की जरूरत नहीं महसूस की गई। सारा काम डिस्ट्रिक्ट आफिसर करेंगे। इस किस्म से हमारे यहां एकाननी होती है। मैं आप को फिलहाल एक पोस्ट के बारे में बतलाता हूं। अगर एक क्लर्क छुट्टी पर जाना चाहता है तो another clerk cannot be appointed as there is an embargo from the Railway Board. Even in regard to casual labour, the head of the department could not sanction another post or take another person in substitute to relieve him because the Railway Board has put an embargo. He cannot appoint even class IV staff on Rs. 45 per month.

४५ रु० मासिक का पानी देने वाला एक कैजुअल लेबर गोरखपुर के आफिस में लड़की की शादी के लिये छुट्टी पर नहीं जा सका। आप एक ४० रु० का नौकर नहीं बढ़ा सकते लेकिन जहां पर एक डी० टी० एस० था वहां पर आप से एक डी० ओ० एस० और एक डी० सी० एस० की जगहें अलग-अलग कर दीं। एक डी० टी० एस० की जगह पर उतनी ही तन्ख्वाह पाने वाले डी० ओ० एस० और डी० सी० एस० की दो पोस्टें कर दीं। ब्रिटिश राज्य के जमाने में भी एक ही आदमी इस काम को करते थे। डिटेल्स में जाने में बहुत टाइम लगेगा लेकिन इसे एकानमी के ढांचे को मैं समझ नहीं पाता।

मैं एक और बात कहना चाहता हूं। चाहे प्रोजेक्ट में हो या कंस्ट्रक्शन में हो क्या रेलवे बोर्ड बतला सकता है कि कैजुअल लेबर जिस को ४५ रु० मासिक मिलता है, इन्क्लूडिंग एलीविंग, जो आप के क्लास ४ में आता है, क्या इतने से अपना पेट पाल सकता है? चावल का दाम कितना है, यू हैव अनाउंस्ड, कपड़े का दाम कितना हो, दवा दारू का दाम कितना हो, यू हैव अनाउंस्ड। It is known to you what school fees are.

आल गवर्नमेंट स्टैटिस्क्स आप के पास हैं। अगर ठीक से देखा जाय तो ४५ रु० में उस की फैमिली चल नहीं सकती है। जब मैं ने इस के बारे में पूछा तो रेल अधिकारियों ने कहा कि क्या किया जाय, गुप्त जी, देश में रुपया कम है और काम ज्यादा है। काम तो करना ही होगा इसलिये कैजुअल लेबर रखना ही होगा। मैं ने कहा, मैं यह बात जरूर मानता हूं, लेकिन एक बात हो सकती है कि जिस तरह से प्रोजेक्ट वर्क में ७५ रु० पाने वाले की जगह एक ४५ रु० का अनस्किल्ड आदमी रखा जा सकता है उसी तरह से प्रोजेक्ट वर्क पर जेनरल मैनेजर की जगह पर एक कैजुअल जनरल मनेजर रखा जा सकता है और उस की रिडयूस्ड पेंशन दी जा सकती है। उस को कैजुअल

रेट पर रखा जाय। इस पर रेलवे बोर्ड ने यह जवाब दिया कि उस जगह पर काम करने के लिये लायक आदमी नहीं मिलेंगे। मैं ने कहा फेडरेशन से कि

You can force the engineers on conscription to serve for the next two years after passing college courses by turns, and there will be no dearth in the categories of the engineers and technicians, just as it happened in the American or the British countries in 1945 or so during war periods.

मैं ने कहा कि क्या ४० रु० वाले आदमी का पेट काट कर देश का काम बनेगा ? लेकिन इस की कोई सुनवाई नहीं होती है।

This is how our country is progressing with the peculiar economic policy during period of our planning!

अब आप रेलवे प्लैनिंग की बात देखिये। Even a man in the street, through a representative organisation, even the smallest shopkeeper in the whole of the country, who has his chamber of commerce and comes through it, submits his opinion on planning.

हर आदमी को कांफिडेंस में लिया गया। मैं आप को सुनाना चाहता हूं कि प्लैन के बारे में उनकी ओपीनियन मांगी गई।

But the poor railway employees were not consulted either through the trade unions or any other organisation. They cannot approach the MLA or MP, because the embargo of the service conduct rules are there. So, the millions of the toiling Railwaymen could not have their say regarding planning in Railways even through unions to get the things done as required to implement the Plan.

अध्यक्ष महोदय : मुझे मालूम नहीं कि मैं आप से किस भाषा में कहूं। मगर बात यह है कि जब हमारे सदन के माननीय सदस्य हिन्दी में बोलते हैं तो हमारे हिन्दी रिपोर्टर होते हैं और जब अंग्रेजी में बोलते हैं तो अंग्रेजी रिपोर्टर होते हैं। अब इस में कुछ कठिनाई आ रही है।

श्री प्रिय गुप्त : अगर इतनी ही कठिनाई है तो इस के लिये मैं कहना चाहता हूं जब एक-एक एम० पी० पर १,५०० रुपया खर्च किया जाता है तो उस की भावनाओं के प्रकाशन के लिये हिन्दी, अंग्रेजी, असमिया और बंगला के रिपोर्टर रखे जायें।

अध्यक्ष महोदय : अगर अगर माननीय सदस्य एक भाषा में बोलें तो रखा जाय। यह तो नहीं हो सकता कि एक मिनट एक आदमी बोलें, दूसरे मिनट दूसरी भाषा बोलें और तीसरे मिनट तीसरी भाषा बोलें तो उसके लिये पंद्रह आदमी रखे जायें। आप किसी एक जबान में बोलें, चाहे हिन्दी में या अंग्रेजी में। हां, कोई कोटेशन आ जाय तो दूसरी बात है।

श्री प्रिय गुप्त : माफ कीजिये, मैं कोशिश करूंगा।

अध्यक्ष महोदय : माफ करने का सवाल नहीं है, मैं तो आप को बतला रहा हूं।

श्री प्रिय गुप्त :

The budget report says that there is an improvement in efficiency. They say all the railwaymen have been working well. There is no doubt. They will admitted it themselves.

पर क्या मैं जान सकता हूं कि कितने रेलवेमेन extra hours काम कर रहे हैं ?

दोस्तो, मैं आप से कहना चाहता हूं . . . .

श्री बड़े (खरगोन) : मैं एक बात कहना चाहता हूं। दूसरी विधान सभाओं में, उदाहरण के लिये मध्य प्रदेश में, इस के लिये दो अलग-अलग रिपोर्टर बैठते थे। जब कोई माननीय सदस्य इंग्लिश बोलते थे या कोटेशन वगैरह देते थे तो वह अंग्रेजी रिपोर्टर लिखते थे और जब हिन्दी में बोलते थे हिन्दी रिपोर्टर लिखते थे। तो दूसरी विधान सभाओं की तरह से यहां भी होना चाहिये।

अध्यक्ष महोदय : मैं कहना चाहूंगा कि बजाय इस के कि हमें आप बदलने के लिये

[अध्यक्ष महोदय]

कहें, मैं आप से दरख्वास्त करूंगा कि आप ही ऐडजस्ट कर लें, जो यहां की प्रैक्टिस चली आती है, उस के मुताबिक । जो टाइम इस बात चीत में गया है वह मैं आप को और दे दूंगा । मैं आप से यह भी दरख्वास्त करूंगा कि जब पार्लियामेंट के अन्दर बोला जाता है तो हर एक चीज स्पीकर की तरफ ध्यान दे कर कही जाती है । "दोस्तो" नहीं कहा जाता क्योंकि यह पब्लिक मीटिंग नहीं है ।

श्री प्रिय गुप्त : मैं आप से सीखने की कोशिश करूंगा ।

Shri Nambiar: This is his maiden speech. This is the first time that he speaks here.

Mr. Speaker: Therefore, it is my duty to advise him.

Shri Priya Gupta: Provided this is compensated by giving me time.

इस के बाद बात आती है कि परमानेन्ट नेगोशिएटिंग मैशीनरी के जरिए आपस में समझौता कर के सवाल हल किये जाते हैं । रेलवेमेन जो हैं उन की जो डिस्प्यूट्स होती हैं उन को हल करने के लिये रेलवे बोर्ड कानून बनाता है । लेकिन जेनरल मैनेजर उन को लागू नहीं करते हैं । कानून में कहा गया है कि क्वार्टर वक्त पर मिलेंगे, यूनिफार्म, T.A., O.T., R.A., Leave, Pass वक्त पर मिलेंगी । गैर-कानूनी किस्म से पनिशमेंट देने के बारे में और दूसरी सारी चीजों के लिये भी कानून बने हुए हैं । अगर सारे कानून अफसर लोग मानते तो किसी किस्म की शिकायत नहीं हो सकती थी जेनरल मैनेजर जिस कानून को बनाते हैं अगर उसके डिपेन्डेन्ट आफिसर उन को लागू करते तो किसी किस्म की शिकायत नहीं हो सकती थी ।

13·36 hrs.

[SHRI SURENDRANATH DWIVEDI *in the Chair*]

Due to the lapses of officers in following strictly the rules laid down as such, the disputes arose and whenever the cases are represented, when individual cases are represented, it is said: "Please refer to clerk so and so, so and so."

तो कैसे हम करें । इंडीवीजुअल केस किस को कहा जाता है ? इंडीवीजुअल केस का मतलब क्या है । शिकायत जनरल करते हैं कि इनक्रीमेंट नहीं मिला । लेकिन उसको बगैर इंडीवीजुअल का नाम लिए जनरलाइज कैसे करें । जैसे कि दिल्ली से टेलीफोन किया जाए कि फलां जगह डाका पड़ गया । तो यह जनरल शिकायत हुई लेकिन जब तक यह न कहा जाय कि फलां क्वार्टर में डाका पड़ा है तो उसको इलस्ट्रेट कैसे किया जाए । तो अगर वक्त पर इनक्रीमेंट नहीं मिलता, या वक्त पर क्वार्टर नहीं मिलता तो इसकी शिकायत जनरल है लेकिन उसको इलस्ट्रेट करने के लिए नाम लेना पड़ता है ।

यह है आपकी परमानेंट नैगोशिएटिंग मैशिनरी । यह एक ठंडे मुल्क की चिड़िया है जिसको यहां गरम मुल्क में लाया गया है ।

Our Government is also a member of the International Labour Organisation in Geneva. There, there are many commitments and one of the commitments is, they should talk to the railwaymen, through representatives of the union or the federation, and then resolve the grievances.

The meetings should be so arranged that these are resolved through talks this way or that way.

जिस मुल्क से इस परमानेंट नैगोशिएटिंग मैशिनरी की चिड़िया को लाया गया है वहां स्थिति यह है कि अगर किसी दफ्तर में कोई अफसर किसी क्लर्क से कहता है कि जरा हम को यह कुरसी हटाने में सहारा दो, तो अगर

वह बिजी होता है तो कह देता है कि मैं इस समय बिजी हूं, अगर मैं इस काम में लग जाऊंगा तो मेरे काम को आधा घंटा की देरी हो जाएगी, आप किसी दूसरे क्लर्क को बुला लें और अफसर दूसरे क्लर्क को बुला लेता है। लेकिन हमारे देश में स्थिति यह है कि चाहे कोई छोटा अफसर भी हो और अगर उसको क्लर्क इस प्रकार का जवाब देगा तो वह कहेगा :

Bloody fool, you carry out my orders. You are not concerned with what work is given to you.

इसी तरह से चार्जशीट देने का मामला है। अगर किसी को आइटम नं० ८ में कांस्टीट्यूशन की धारा ३११(२) के अनुसार चार्जशीट दिया जाता हैं तो उसमें एनक्वायरी का प्रावीजन है। उसको बचाने के लिए उसे छोटे जुर्म में सजा (आइटम नं० ४) दे दी जाती है। एन्क्वायरी में बहुत बातें निकलती हैं इसलिए उससे बचते हैं।

He gives a lower punishment for which no enquiry is required.

अध्यक्ष महोदय, मैं आपसे अनुरोधकरूंगा कि इस समय रेलवे मन्त्री यहां मौजूद नहीं हैं। उनको मौजूद होना चाहिए। मैं कहना चाहता हूं कि अगर इस विभाग के इतिहास को देखा जाए तो आपको पता चलेगा कि किस प्रकार चार्जशीट बनाए जाते हैं कि एनक्वायरी न करनी पड़े और लोगों को इस तरह पीनेलाइज किया जाता है। होता यह है कि वही डिस्ट्रिक्ट आफिसर जो कि चार्जशीट देता है, वहीं एनक्वायरी करता है और पनिशमेंट देता है।

इसके अतिरिक्त जब Permanent Negotiating मीटिंग होती है तो यूनियन वालों को तीस सवाल (dispute से ज्यादा नहीं करने दिए जाते। अफसरों की गलतफहमी के कारण, और उनके कानून के तोड़ने के कारण लोगों की सरविस कंडीशन्स पर आघात लगता है, उनको इनकीमेंट नहीं मिलता, क्वार्टर नहीं मिलता, गलत ट्रांसफर कर दिया जाता है। इस तरह की कई कठिनाइयां उनके सामने आती हैं। लेकिन जब P. N. M. मीटिंग में यूनियन या रेलवेमैन्स फैडरेशन के लोग जाते हैं तो उनको कहा जाता है कि आप तीस सवाल से ज्यादा नहीं कर सकते। अब आप देखें कि औरों की बात कैसे कही जाए। चाहे लाखों मजदूरों की बात कहनी हो सवाल तीस से ज्यादा नहीं पूछ सकते। तो हम यह कहना चाहते हैं कि :

This permanent negotiating machinery is a substitute of the provisions of I.D. Act by agreement with the then Railway Minister, Shri Gopalaswami Ayangar, and Mr. Jaya Prakash Narayan, the then President of the All-India Railwaymen's Federation. This P.N.M. machinery is in lieu of the conciliation procedures as provided under the Industrial Disputes Act. We are taking recourse to the other provisions also. Yet the P.N.M. is not being honoured; the permanent negotiating machinery has become a mockery. Kindly take out from each railway union and each General Manager's office the number of P.N.M. meetings held for the last five years. After the discussions in P.N.M. meetings the only sort of decision is "it is being looked into" or "the matters from District Officers have not been supplied" or "answers will be given in time" or "I will look into the case", etc. That is all. There is no final decision. Even luckily if any dispute is finalised, there is no implementation. This is the condition of the Permanent Negotiating Machinery. The grievances of the workers are being piled up day by day. Who is to resolve them? If they outburst, then bad motives are being attributed.

I now come to the merger of the two Federations. The railways have got two Federations. One is the INTUC—National Federation of Indian Railwaymen—Shri Vasavada's group —and the other is the All-India Railwaymen's Federation that is Mr. Peter Alvares and Shri Guruswamy group. The All-India Railwaymen's Federation is the only Railway Federation in

[Shri Priya Gupta]

Indian Railways since the birth of the railway union. In 1948 by force, a parallel Federation was created by the Railway Administration through the backdoor and passes were granted to them. It was allowed to be nurtured and grown by the merciful attitude of the officers then prevailing. When Shri Jayaprakash Narain was there in A.I.R.F., the I.N.T.U.C. Federation was allowed to grow. At one stage, it merged and again it separated. Again the question came whether it should be merged or not.

और फिर आखिर में जस्टिस मजूमदार को दोनों फैडरेशन के मरजर के मामले तय करने के लिए भेजा गया।

It is not the All-India Railwaymen's Federation, but the INTUC's Federation which expressed the candid opinion that they are not in favour of merging. The policy of the Government of India is that there should be one Federation all-India-wise. Under the same INTUC Federation—NFIR—, Railway Administration had given recognition to two separate unions in each of railways,—in the Eastern Railway, North Eastern Railway and very recently in the N.F. Railway. When they talk of merger, I cannot understand why they are creating parallel unions in each of the railways under the same INTUC Federation. I cannot understand the policy of the Railway Administration in creating multiplicity of unions and creating a rift among the railwaymen, so that actually the railwaymen cannot unite and fight against the autocracy and the bad gestures of the officers of the railway administration. Industrialisation definitely diminishes the number of workers. At the advent of industrialisation, the problem of surplus workers should be solved. The working hours must be reduced and some other devices must be arranged to see that none of the people are made surplus. So, transfers from steam locomotives to dieselisation must be done in such a way and on such a policy that no hardship is caused to the workers.

इसके बाद मैं यह कहना चाहता हूं कि आपके रेलवे बोर्ड ने फार दी परपज आफ क्लासिफिकेशन आफ आरटिजन स्टाफ, एक ट्राइबुनल बैठाई थी। अब आप देखें कि ३५ से ६० की ग्रेड (prescribed scale) में बेसिक ट्रेड्समैन होते हैं। इनके लिए नियम यह है कि पांच साल में जो स्किल्ड लेबर वाले रिटायर हों या मर जाएं उनकी ३३ १।३ परसेंट जगहों है इन बेसिक ट्रेड्स मैन को रखा जाए। लेकिन अगर जब एनेलेसिस करके देखा जाए तो मालूम होगा कि १०० skilled posts में से ८० पर इनको (Basic Tradesmen) रखा गया जो कि कानून के और एवार्ड के खिलाफ है। ये बी० टी० एम० लोग लरनर होते हैं इनको इतनी ज्यादा संख्या में तथा स्किल्ड लेबर की जिम्मेदारी नहीं देनी चाहिए। यह कानून के खिलाफ है और ट्रिब्युनल के एवार्ड के खिलाफ है और मैं नहीं समझता कि कैसे इस तरीके से काम चल रहा है।

Direct recruitment in intermediate categories of Class III and Class IV Staff का सवाल उठा था। फडरेशन की P.N.M. मीटिंग में हम लोगों को बतलाया गया था कि in future यह प्रथा वही रहेगी कि खलासी फिटर होंगे, फिटर्स से मिस्त्री होंगे, मिस्त्री से चार्जमैन होंगे, चार्जमैन से फोरमैन होंगे। यह पहले यह रिवाज था लेकिन अब हालत दूसरी है और अब यह इंटरमीडिएट कैटेगरी से प्रमोशन्स क्लास ३ और क्लास ४ स्टाफ को नहीं दिये जायेंगे। क्लास ३ और क्लास ४ कैटेगेरीज में Intermediate Categories में डाइरेक्ट रिक्रूटमेंट लागू कर दिया गया है। ऐसा करने के कारण फेडरेशन को कहा यह जाता है कि इससे न्यु

अलड आयेगा और एफिशिएंसी बढ़ेगी । पहले के एपाएंटेड आदमी आज के जमाने में ऐंटीडेटेड हो जाते हैं चूंकि दिन पर दिन टैकिनकल ऐडवांसमेंट हो रहा है । लेकिन मेरा कहना है कि अगर यही कारण डाइरैक्ट रिक्रूटमेंट करने का वहां पर है तो क्यों नहीं डिस्ट्रिक्ट आफिसर्स को जो कि क्लास १ गजेटेड कैडर में प्रोबेशनर्स भरती होते हैं और नौकरी में आये हैं उन लोगों को क्यों डैपुटी हैड आफ दी डिपार्टमेंट में प्रमोट किया जाय और वहां पर भी डाइरैक्ट रिक्रूटमेंट क्यों न हो ? There must be direct recruitment for the post of Head of Department and General Manager's post on par with the direct recruitment policy adopted in the higher intermediate grades of Class III and Class IV staff. District officers recruited 12 years back must have passed out from their colleges in engineering and technology but these branches have advanced. So, those district officers are unfit for promotion beyond the Deputy Head of Department, on the same line of argument put forward for Class III and Class IV staff. जनरल मैनेजर की पोस्ट पर और हैड आफ दी डिपार्टमेंट की पोस्ट पर पब्लिक सर्विस कमीशन द्वारा डाइरैक्ट रिक्रूटमेंट किया जाय so that fresh blood with more advanced technical knowledge ma ybe available. But the Railway Board does not agree.

१-४-५६ को रेलवे मिनिस्टर ने अपग्रेडिंग का "न्यू डील" निकाला था। इसमें सारी हायर ग्रेडेड पोस्टस अनफिल्ड पड़ी हुई हैं और लोअर ग्रेडेड स्टाफ से हायर ग्रेड का काम लिया जाता है जो कि रेलवे मिनिस्टर के वादे के खिलाफ जाता है ।

Conciliatory machinery for resolving disputes of railwaymen का जहां तक सवाल है, after P.N.M. level with Railway Board there must be a permanent tribunal with a neutral judge. Wherever we disagree at the level of the Railway Board, the issue must be sent to the tribunal for arbitration and its award must be compulsorily accepted.

इस सिलसिले में मैं पूछना चाहता हूं कि जस्टिस शंकरशरण ट्रिब्यूनल ने जो एवार्ड दिया था उस ऐवार्ड को लागू किया गया या नहीं ?

Total number of amounts pending before the railway administration due to arrears of pay, overtime, T.A. & R.A. etc.—are to the extent of crores of rupees. जो स्टाफ रिटायर कर दिया दिया गया है उसको अभी तक पेंशन का पैसा नहीं मिला है । डिएरनैस एलाउन्स अभी तक अनपेड है जबकि North East Frontier Railway का बिहार, असम और वेस्ट बंगाल में काम करने वाले रेलवे अफसरान को तीन-तीन advance इनकीमेंट्स दे दिये जाते हैं लेकिन इसके विरुद्ध हम देखते हैं कि क्लास ३ और क्लास ४ के गरीब मुलाजिमों को यह तीन इनक्रीमेंट नहीं दिये गये हैं । मैंने इस ओर रेलवे बोर्ड का ध्यान दिलाया लेकिन कोई जवाब नहीं दिया गया ।

लेकिन टैक्स के बारे में मुझे यह कहना है कि जिसको क्वार्टर नहीं है या पैखाने नहीं हैं, जहां फ्लश टाइप, वाटर क्लोसेट या ऐकुआ टाइप लेकिन हैं अर्थात् जहां कि भंगी के जाने की जरूरत नहीं होती है वहां भी रेलवे मजदूरों से यह लैट्रिन टैक्स (कंजरवेंसी टैक्स) रिट्रोसपैक्टिव एफेक्ट से काटा जाता है । जब कोई ऐरियर्स देने की बात होती है तो पेमेंट डेट आफ दी इश्यू आफ दी रेलवे बोडर्स लटर से किया जाता है लेकिन जब मजदूरों का कुछ पैसा काटने का सवाल उठता है तो उसको रिट्रोसपैक्टिव एफेक्ट से काटा जाता है ।

डिमरर्ड्स एलाउन्स के बारे में मैं यह जानना चाहता हूं कि डी० ए० फिक्स करने के लिए रिजर्व बैंक आफ इण्डिया जो नौमं अर्थात् कौस्ट आफ लिविंग इंडैक्स फिक्स करता है

[श्री प्रिय गुप्त]

उसमें रेल मजदूरों का इनक्रीज्ड क्वार्टर रेंट का ऐमाउण्ट जोड़ा जाता है कि नहीं । रेलवे मिनिस्टर साहब अपने बजट में सिर्फ यह बतला रहे हैं कि इनक्रीज्ड रेट से डिअरनैस एलाउंस देने में १३ करोड़ रुपया खर्च हुआ लेकिन वह यह क्यों नहीं बतलाते हैं कि आज तक उनकी तिजारी में increased quarters rent तथा कंजरवेंसी टैक्स की सूरत में जो कि मजदूरों से वसूल किया जाता है कितना रुपया जमा होता है ?

जहां तक विजिलेंस आर्गेनाइजेशन का ताल्लुक है मेरा निवेदन है कि यह सिर्फ क्लास ३ और क्लास ४ स्टाफ के लिए ही नहीं होनी चाहिए बल्कि इसको क्लास १ अर्थात् रेलवे अफसरान के बारे में भी जांच-पड़ताल करनी चाहिए ।

I want to know from this House what has happened to Mr. Lobe, District Engineer of Pandu. Is there anything going on in connection with some theft case or corruption case? उनको किस अवस्था में रक्खा गया उसके बारे में मैं सफाई चाहता हूं । Our Railway Sectional officers are not allowed to function properly under the SSP due to intervention by the Railway officers. They are threatened that they will again have to come back in the regular Railway cadre and that R.S.O's. feel their services shall be endangered since R.S.O's. posts are tenure posts on loan from Railway Cadre for 3 to 4 years. R.S.O's. must be given the immunity from being victimised.

अब होता यह है कि विजिलेंस इंसपैक्टर्स केवल क्लास ३ और ४ स्टाफ की चोरियां ही पकड़ते हैं और उनमें ग्रेड १ अफसरान की चोरियां पकड़ने की हिम्मत नहीं होती है क्योंकि उनको मालूम रहता है कि उनको बाद में रिवर्ट होना पड़ेगा ।

Shri Shahnawaz Khan: Sir, generally, hon. Members are not allowed to refer to officers by name in this House.

Mr. Chairman: Let the hon. Member now conclude.

Shri Priya Gupta: Only half a minute, Sir.

For the functioning of the Plan period, to gain the confidence of the labourers without whom the work cannot go on and who are a part and parcel of the national population, I would urge a change in the gesture of the officers, in the approach of the officers, to bring confidence in the minds of our labourers. That way by creating a congenial atmosphere the officers of the Railway Board and of the different Railways would be serving the country at large more if they bring confidence in the minds of the labour.

Shri Bhagwat Jha Azad (Bhagalpur): Mr. Chairman, Sir, I welcome this Budget with a mixed feeling. While I appreciate the achievements of the Railways in the Second Five Year Plan, I put myself again the question why enough or much more could not have been achieved in that period.

The record of the Railways in the Second Five Year Plan has been impressive in the sense that it has achieved the physical and financial targets, it has added to the track capacity, new lines and others within the outlay provided in the Plan.

But the question is, after all the achievements in the Second Five Year Plan, why is it that the Railways could not keep up that tempo, could not do up to the expectations of the people in the first year of the Third Five Year Plan. Discussions were held in this House on the interim budget just about a month back, and then also senior hon. Members like Shri Mathur raised the question of transport capacity, as he has done even now, and many important problems regarding the Rail-

Railways which have been very seriously threatening our economic progress in the first year of the Third Five Year Plan. But we could not see any answer coming forward, we could not see anything which could be said to be the reasons saying that these were the possibilities, these were the shortcomings and this is why we failed, we could not keep up the tempo in the first year of the Third Five Year Plan.

Sir, the achievements of the Railways in the Second Five Year Plan had been marvellous and if you reason out the causes for their behaviour in the first year of the Third Five Year Plan I have to come to the conclusion, though most reluctantly, that our public undertaking has failed, it could not keep up to the expectations of the people. Why? I think the reply is that this great enterprise of ours could not see into the distant future, could not catch, arrest and imprison the future circumstances that were likely to arise as a result of our fast growing economy in the Third Five Year Plan. That is why we have this bottleneck.

Sir, the greatest thing that is being mentioned, the greatest blot on the Railway Ministry today is this that they have failed to handle the traffic that has arisen in the first year of the Third Five Year Plan. Just now mention was made—it was mentioned before also—about coal. That is the lifeline of our industry, the lifeline of our steel, the lifeline of millions of hearths and homes. What has been the reply of the hon. Minister? What has the hon. Minister said in his Budget Speech on this very serious matter? He says: "The Railways have been meeting the full demands of the steel plants and washeries; demands for wagons for outlying coalfields were also met in full". If that be the fact we welcome this announcement. But we would like to know from the ex-Minister of Steel and the present Railway Minister whether it is a fact. Is it not a fact that the Railways were not meeting in full the demands of steel? If he contradicts that, then, is it not a fact that the industry in this country is crying from Press and platform that their demands are not fully met. Their representatives even in this House during the last discussion have said that the industry is living from hand to mouth, they have stock of coal hardly for two or three days and because they are able to collect together and pass on the surplus from one industry to another they are able to run their industries. If this is the situation, then shall I not say that the Railway Ministry is devoid of imaginative personnel who can see into the distant future, who can see the demands of our fast growing economy, our fast moving economy and the demands of the Railways. They should have thought this much ahead and should have supplied to this economy the necessary wagons that is demanded of them.

If what is said about the industry is not correct, then I shall stand myself as a witness among the vast millions of our countrymen who need coal for their hearths and homes. We know, even the hon. Minister has said in his speech, that there has been shortage, there has been this bottleneck for some unavoidable reasons. What are they? This is just a cover to hide the fact that they could not do much in respect of coal. It has been said even by the Coal Controller in an estimate that in 1961 they wanted an average of 6150 wagons but they were supplied 4758 and even as early as in January last they could put only 4731 wagons. I heard a big friend in the NCDC saying that the corporation was producing about 7 to 7½ million tons but they were purposely cutting down 3 million tons of production because the Railways could not co-operate with them in lifting that quantity. Is that not the situation? If that be the situation, then we can say that we could not get any assurance from the hon. Minister in his Budget Speech that this will not happen

14 hrs.

We have seen in the last year of the Second Plan that we could not

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meet the target fixed for raising coal. Then what is the position in the first year of the Third Plan? The target which was short of fulfilment in the Second Plan could not be fulfilled even in the first year of the Third Plan. This is a very sorry state of affairs which must be looked into. The same is the case with cement and other essential commodities. They are not being carried to the far distant places in the country with the result that there will be no roads, no schools or health centres in the villages. It is necessary that the entire transport policy of the railways is re-oriented. Our senior colleague, Shri Mathur, has suggested in the House that there must be an inquiry into this matter. By the word 'inquiry' we do not mean here a charge-sheet; we are not demanding that. What we want is that the Planning Commission should re-assess the value of the railways, must re-assess the requirements of the railways and the part that the railways have to play in the developing economy of the country. Therefore, a commission, either of the Planning Commission itself or outside, must be set up to find out why these bottlenecks are hampering our progress and to suggest remedies.

Whenever we raise the question of the part the railways have to play in our economy, we receive a strange answer. I was going through the debates and I found that one Deputy Minister has replied in very nice terms to this question by saying "What can we do? We should be told ahead as to what requirements will be placed on us. Also, additional funds should be made available to us" as if we have to tell them what the requirements will be and how much funds will be needed. The Planning Commission is always made a scape-goat by the Ministry which cannot function efficiently. Therefore, that Deputy Minister says that it is the Planning Commission which should look into the matter as if the railways have no plan of their own, as if the railways do not know what the demands of the country are. If they are to say that the Planning Commission must tell them what they are to do, then I would say that the Railway Minister, along with this deputies, should walk out and the Planning Commission and the Planning Minister should come here to look after that work. But that is not the proper thing. I hope the new Railway Minister will tell us that the responsibility is his and that it is the responsibility of the railways to provide the country wagons and coaches to carry the increased passenger and goods traffic.

I agree with the railways in their view that the Planning Commission must assess the requirements on the railways. I am myself of the opinion that the railways are working overtime, working to the saturation point, that it is not possible for the railways to carry additional traffic or to meet the future increasing demands on them. Let the Railway Minister say in all fairness to the Planning Commission and to the Government "Look here, I cannot do it without additional funds; this is my difficulty" instead of making the Planning Commission a scape-goat. We should be told that it is not possible for the railways to increase their capacity with the present limited allocations. I know that it is not possible for the railways to do that. Therefore, I join the Railway Ministry in saying that it is high time that the entire matter is looked into and that sufficient funds should be placed at the disposal of the Railway Ministry to expand on all sides to meet the increasing demands of the country.

When we find that the freights and fares have been increased I would not say like Shri Nambiar that it is a very bad thing. I know that when an under-developed country wants to make rapid progress and go ahead of other progressive nations, it has to suffer and make sacrifices. The countries of eastern Europe took two hundred years to come to their present stage. The U.S.S.R. also had to make

a lot of sacrifices. Compared to that, the progress that we have made during the last 14 or 15 years is remarkable. There is no doubt about it. At the same time, we should not remain content with what we have achieved. We have to march ahead and that requires further sacrifices. So, we know that the fares have to be increased. But, at the same t me, we want to be satisfied, the country wants to be satisfied that the increase in revenue has been properly used. To be frank, I am not at all convinced that the railways are working efficiently and that necessary economies are being effected in the railways. The hon. Minister in his budget speech also had nothing to say specially on this point; he just made an indication that economy is being effected. We would like to have the details of it in concrete terms. When they demand from us increased fares and freights, we have certainly the right to demand from them the details of the economy they have effected in the railways. Now we have not been told in concrete terms in the railway budget as to what the Railway Ministry has done in this direction

If you want an increase in fares and freights to expand your activities, have it. But what about the amenities? In the first Parliament I fought for five years for increased amenities to the passengers. I v vidly remember that I had to fight very doggedly against the two spoiled children of Railway Ministry, i.e., caterers Vallabhdas and Keelner to liquidate them. But what is the result? Today when we travel from one part of India to another part we find that the proudly proclaimed and much advertised nationalised caterers are behaving in a shabbier way than the private caterers. So, what I am saying is that when you increase the fares, you must also provide amenities to the travelling public. Then, what about over-crowding? Has it been solved at least partially? Not that we are aware of. The hon. Minister can verify it and see whether we are exaggerating things. He should know that we, most of us, are experiencing this difficulty almost every day. So, the fact remains that overcrowding is there and the passengers are not provided with enough amenities. We have always been assured in this House that the Government will look into this matter. How far have they looked into the matter? Therefore while you say that in an underdeveloped economy where you have to meet the growing demands of the country you have to increase the fares and freights, you have to levy taxes, you are certainly entitled to say that but, then, we think we are justified in saying we can support this move of the Railway M nistry only when we feel that we are convinced that economy is being effected in the working of the railways and administrative reforms are being introduced to give effect to that. In our opinion, this is not being done.

So far as administrative reforms are cocerned, some of my friends from the opposite side have given certain examples. We can also quote a number of instances. But I would not like to mention individual cases. I find that the Railway Ministry is the greatest culprit in implementing the Parkinson's law. So far as the lower level is concerned, that is to say, clerks and others, they are retrenched on grounds of economy. So far as those who are getting Rs. 45 per mensem are concerned, their number is reduced drastically on grounds of economy. On the other hand, you will find any number of OS, DS and AS, increasing day by day because of the application of Parkinson's law. If A wants to retire, he thinks "I am retiring. Who is the man who will succeed me? It will be B. There must be somebody else also who will aspire for that post so that I will become important. So, I will put C in an important position." Then B and C compete among themselves. B wants one D to be junior to him so that he will look superior. Similarly, C appoints E. In this way, F. G and H are also appointed. As Shri Mathur has pointed out, whenever a

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Member of Parliament writes a letter he receives a reply "this subject is dealt with by C, who may be contacted". In this way, they create work for them. So, though the work in paper increases, there is no corresponding improvement in the situation and the condition of the railways remains where it was. Therefore it is important that the hon. Railway Minister should look into the question of administrative reforms which will bring in economy.

You always show a big picture, but when we tell you that if you want economy you should extend the Bounsi-Mandarhill line to Deoghar, you would say you have no money; when we tell you that people are crying for a halt at Mamalkha or for a crossing station at Ekchari you would say, "Nothing doing". We who come from that area know that if the Railways want to have revenue, why have this skeleton Bounsi-Mandarhill line. You will say, "It is your fault", but actually the fault is yours. Everybody is not born a Harishchandra.

Mr. Chairman: The fault is not mine.

Shri Bhagwat Jha Azad: I am sorry, Sir. It is the fault of the Railway Ministry. They are not providing proper safeguards. It is necessary that it should be looked into. Where you have put in a lot of money, about a crore or so for a line why not put in a few lakhs into it so that it is extended up to a particular place? Have proper provision. Tighten these loopholes through which the entire money goes out in the form of non-travelling. You will not do it. When we ask for a halt or for a crossing, these things have to be looked into. That will definitely fetch in greater revenue.

Therefore in the end my suggestion is that it is high time that the Planning Commission should assess the future role of the Railways in our economy. You have seen the mess of the Railways not coping with the traffic in the first year of the Third Five Year Plan. So, if that assessment is not done, how will they be able to cope with the 45 per cent increase of traffic that is visualised in the Third Five Year Plan? It is also necessary that there should be another commission to look into the question of proper coordination between the railways and road transport. This point is very important. I could not make it out but I am happy that this was emphasised by our friend, Shri Mehta, ex-Member, some time in the last Parliament. As a result of this increased freight, there will be a certain diversion of short distance traffic from the railways to road transport. Therefore it is essential that another commission should be appointed to look into this matter, lest there may be cut-throat competition between rail and road.

With these words I conclude.

Shri Yajnik (Ahmedbad): Mr. Chairman, Sir, I join my hon. friends on this side of the House in registering my emphatic protest against the unwarranted and unjustifiable increase in railway freights and fares. The hon. Railway Minister has stated that the fares have remained more or less stationary since 1951. Then how do you get more revenue from the fares every year? It is because the population is increasing. If you look at your own figures, you find that during all these years the revenue from railway fares, to take them first, is increasing rapidly beyond the expectations of the Railway Ministry.

Another point that I would make out is that after all the Railways also are a commercial institution. You serve and you take money. If you give better service, you take more, certainly, from us. But the whole point is: Is the Railway today in a position to give better service to the passengers? The position need not be dilated upon at all. It is as plain as a pikestaff that the third class passenger is

the most aggrieved person in the whole railway system. Crowding is increasing everyday. The number of people who are hanging on by the rails or by the handles dangerously perched near doors is increasing every year. Thus, you get continuously more revenue because for the same number of trains that you are running you are getting more passengers and more fares. You are getting more money from the total fares that you collect every year. Does the hon. Railway Minister hold out any prospect of giving better service to the third class passenger? Does he hold out any hope of reducing this overcrowding in the trains? Time and again I have heard from the ex-Railway Minister in this House that he can hold out no prospect of any substantial reduction in overcrowding. In fact, he may not say it, but the fact is that overcrowding is increasing. People who travel in third class compartments are doing so at great risk to their health, to their safety some times, to their comfort and to their sleep. And the prospect is not likely to be redeemed at all in the near future! If you do not give better service, if the third class passenger is doomed to remain in these crowded overheated compartments without the barest amenities of life for it is impossible sometimes for a railway passenger to go to the bathroom or to the lavatory, so crowded are the passages, if he canot get the minimum requirements that are necessary for his safety, comfort and happiness, how is the Railway Ministry justified in getting one more pie or one more *naya paisa* from him? Therefore, on grounds of equity and on grounds of contract between the passenger and the Railways, the entire argument about the increase in fares topples to the ground.

Then you have also to remember that today we are living in very straitened conditions. Whatever the Finance Ministry and the Government spokesmen might say it is a fact that prices are soaring. They are spiralling up, making it difficult for the common man to make two ends meet. Incomes are fixed and steady, rarely increasing to the necessary levels while prices are increasing making things dearer alround. Even when dearness allowance is given, as it is given sometimes to some class of employees, even that is not sufficient to meet the increase in the cost of living. I know that in the city of Ahmedamad, for instance, even the Labour Office takes the standard rent of Rs. 4/10/- when actually most of the labourers are paying anything between Rs. 15/- and Rs. 25/- even in some Government quarters. So, when the millions in this land are finding life more difficult to live and to equate their incomes with expenditure, I say in these circumstances it will be a cruel and an unjust wrong to the common man to pile this additional burden of this increase in fares.

So far as the freight charges are concerned, that it another story. Here again, the picture is very dark and sombre. It has been said by many hon. friends on this side that the Railways are not able to cope with the freight traffic as they are not able to cope with the passenger traffic. The line capacity is limited. There are not enough wagons. There are not enough coaches. The number of locomotives is limited. Therefore, they cannot run more trains than they are doing now. But the freight is increasing every year. Compared to the number of wagons and the number of engines, more and more freight is carried; and that naturally gives more revenue to the Railways. I say that during the last ten years, and during the last five years of the Second Plan period, income both from fares as well as from freights has been increasing. And that has been increasing because the population is increasing, their wants are increasing, the amount of goods being transported from one part of the country to another part of the country is increasing. That, naturally, has been giving an increase in the railway income from fares and freights.

[Shri Yajnik]

The point is, is the Railway Board in a position to give better service to the people who want to consign their goods from one place to another? There again, it is a very sad story. Often enough, arbitrarily or according to their own convenience, the Railway Board closes booking from one point to another. And so, whether it is the common man or the merchant, he has to sit with folded hands and wait for the mercy of the Railway Administration to open the booking.

Many things are in short supply. Coal, for one, is in very short supply. In Ahmedabad City, which I have the honour to represent, there was a deputation of businessmen who waited on a senior railway officer. There were mill-owners and merchants; there were coal merchants also—no agitators, no politicians, just hard-headed businessmen. And they represented to the railway officer: "Why are we not getting the coal that we used to get even last year? Why is there this deficiency in coal?" The argument about the three stee plants, is, of course, in front of us. Well, the Planning Commission has taken into account the necessities of all the steel plants and the necessities of all the industries and businessmen in the whole country.

14.23 hrs.

[MR. SPEAKER *in the Chair*]

You have planned for the necessities, and you have planned for the equipment for meeting these necessities. Is anything gone wrong with your plans? Did the Railway Administration not know that the three steel plants had to be commissioned and their necessities had to be met in full—iron ore and all the other materials that they required? And then, did they not order the necessary number of wagons, box wagons or the open-type wagons for carrying coal from the eastern parts of India to all the other parts, whether it is U.P., Gujarat, Maharashtra or South or North? But you hear complaints about coal not merely from Ahmedabad or Gujarat, you hear them all round, you hear them in U P., you hear them in Punjab, you hear them even in Bengal. But we are time and again told that we have to serve the three steel plants first.

I suspect that something went wrong in planning or in carrying out the plans. Why did not the Railway Ministry take stock of the entire situation beforehand? Why did they not foresee the amount of coal and the amount of iron ore and other necessities to be supplied to the steel plants? And why did they not also take into account the normal requirements of industries that have been established, and of more industries that were being established in the whole country, and order the necessary number of wagons and locomotives in time to meet the total needs of all these industries? I find somebody whispering in my ear that something went wrong in the Railway Ministry. I speak subject to correction, but I believe that the number of box wagons, the number of wagons that were required for carrying coal, sufficient number of wagons, were not ordered in time. And perhaps another type of wagon was ordered instead of the right type of wagon that was necessary for transporting coal. Because, it is just in the matter of coal that the inadequacy of the Railway Administration has been clearly seen. Well, something went wrong. Otherwise, we should not have to lament about this paucity of coal for industries all over India.

Instead of readily confessing their failure and putting the finger on the right spot they go on giving all kinds of wonderful figures to show that all is best in the Land of the Railways and that they have been meeting all the requirements of the steel plants and of the other plants to the best of their capacity. No, Sir, the picture is not as good as is being made out either by the Railway Ministry, by the Railway Minister or by the Chairman of the Railway Board. Something has gone wrong, and I think an en-

quiry should be made into the matter and the persons who are really guilty of serious mistake and mishandling of the Plan should be properly dealt with; because this is a crime that has been committed, a crime against the industries established for long all over the country and against the people who depend on the industries. I do not like as soon as I get up in the morning to read in the newspapers that the Ahmedabad mills are likely to be closed within the next two or three days. And then, when they will open again, we do not know. This prospect is dismal and shocking. The Railways, with all their great finances and with all the great offices that they are running, have failed in this vital matter of meeting the necessary demands of the industries all over the country. And I think that if proper and thorough measures are not taken in time we are likely to suffer from this malady for years and years to come. I therefore plead with the Government to order a thorough enquiry especialy into this matter of the transport of coal which is a very vital commodity required for running all kinds of industries. The shortage of coal is so great..

Mr. Speaker: Would the hon. Member like to finish within the next three or four minutes or to continue his speech on Monday?

Shri Yajnik: I will finish within three or four minutes, because I am leaving tonight.

Shri Speaker: Very well, he may continue.

Shri Yajnik: Having said this much, I have now to cover some other points. The narrow gauge railway is another subject that also requires to be carefully looked into. I know that the narrow gauge railway is to be closed down. But it continues to operate. Government does reap a good harvest from these narrow gauge lines that are run now. They go fully over crowded, and yet, Sir, the primary necessities of life are missing in them. There is no water; and there is no light sometimes when the trains are running at night. It is dangerous for all people and especially for women and children to travel in grim darkness in the night from one point to another for hours and hours together. The trains are also late. I would plead with the railway administration to inquire into the matter and to see that the primary amenities are arranged for in these narrow gauge railway coaches.

Then, Sir, I am sorry to see that the Saurashtra Railways have been the Cinderella in the whole of the railway system, like the narrow gauge railways. We had been hoping for better days when the Saurashtra Railways were taken over by the Government of India. But the trains are runing as slow as ever. Perhaps there might have been some light improvement. They are as irregular as ever; they are as over-crowded as ever and there is not sufficient coordination between the different lines. I must admit that there are a good many lines that are running in Saurashtra. With regard to the new lines that are being opened in Gujarat, I am glad to see some good progress being made with the Himmatnagar-Udaipur line; but I am afraid that hardly any progress is being made on the Zund-Kandla line. Tha Zund-Kandla line is even more important for the development of the Kandla port than the Himmatnagar-Udaipur line. The Himmatnagar-Udaipur line is all right for connecting Gujarat and Rajasthan. But I would plead with the railway administration to make more money available during this year and to speed up the laying of rails between Zund and Kandla.

Lastely, Sir, I have to say a word about workers' quarters. As I was sitting in my office one day two men came to me pleading with me for some relief. On enquiry I found that they had come from country-side. They were in the railway service—fourth class servants. Not getting any accommodation from the railways and having to work near the railway lines, they had built some kutcha huts within the railway yard. They complained

[Shri Yajnik]

to me bitterly that their little huts had been demolished on that day. I asked them to see the high-ups, the station master and other people. But they said they did not care. They asked them to find their own accommodation. But where are they to go? They are not given quarters. I can understand that. The railway has not sufficient quarters. But when you get a man from countryside, a poor man with family who comes all the way miles and miles away from his hearth and home, when you bring him to a big city like Ahmedabad, permit him to put up his hut in a small corner of the railway yard, where the track is not disturbed. I would plead, therefore, with the Railway Ministry to adopt a more human and humane policy towards its workers and do justice by them.

14·35 hrs.

RESOLUTION *RE* ABOLITION OF CAPITAL PUNISHMENT

Mr. Speaker: We shall now take up non-official resolutions. Shri Raghunath Singh's resolution has got the first place. No time allotment has yet been made for it. We might now fix some time for this resolution. We shall allot time for the others as they come.

Would an hour-and-a-half be enough for Mr. Raghunath Singh's resolution?

Shri Raghunath Singh (Varanasi): It is a very important resolution. It is a burning question not only in India but the whole world. Therefore, I plead that three hours may be allotted for it.

Mr. Speaker: Order, order. We know that. This subject has been discussed earlier as well. If the House so desires, we may allot two hours for it. The next Member should have an opportunity to move his resolution.

Shri D. C. Sharma (Gurdaspur): Two hours and twenty-nine minutes may be allotted for it.

Mr. Speaker: Two hours and fifteen minutes will be allotted to this resolution. The mover may take twenty minutes. There are many hon. Members who wish to speak on this resolution. They may take ten minutes each.

Shri Harish Chandra Mathur (Jalore): I, for the first time, would take only five minutes.

Shri Raghunath Singh: Sir, I beg to move:

> "*This House is of opinion that* capital punishment be abolished."

अध्यक्ष महोदय, यह प्रश्न भारतीय संसद् में तीन बार उपस्थित हुआ था। पहले लोक सभा में एक विधेयक के रूप में और राज्य सभा में दो बार संकल्प के रूप में प्रश्न आया था। उसके पश्चात् हाउस आफ कामन्स में भी यह प्रश्न उठाया गया था और सन् १९५६ में हाउस आफ कामन्स ने अपनी राय इस प्रश्न पर दी थी। लोक-सभा, राज्यसभा और हाउस आफ कामन्स में जो वाद-विवाद हुआ था उस को मैं फिर यहां पर दुहराना नहीं चाहता हूं। लेकिन मैं उन बातों का यहां पर जिक्र करना चाहूंगा जिनके कि आधार पर मैं चाहता हूं कि मृत्यु दण्ड व्यवस्था समाप्त की जाय।

सबसे बड़ी चीज जिससे अनुप्राणित होकर मैंने यह प्रस्ताव रक्खा है वह ला कमीशन की रिपोर्ट है। उस रिपोर्ट के भाग २ को अगर आप देखेंगे तो पायेंगे कि ला कमीशन ने बहुत से स्थानों पर कहा है कि आजकल न्याय मिलना एक तरह से कठिन काम हो गया है।

दूसरी बात यह है कि मानवता का तकाजा है कि यह प्राण दण्ड प्रथा समाप्त की जाय।

तीसरी चीज यह है कि यह भारत

परम्परा के अनुरूप है कि यह दण्ड व्यवस्था भारत से हटाई जाय।

चौथी बात जिस पर कि हमारे और भाई प्रकाश डालेंगे वह यह है कि भयात्मक जो दण्ड की व्यवस्था है उससे आजकल तक हत्या रुक नहीं सकी है और हत्याएं अभी तक जारी हैं। उसके वास्ते अब कोई दूसरा उपक्रम होना चाहिए ताकि संसार में जो हत्याएं होती हैं वह रुक जायं।

भारतीय दण्ड संहिता में ८ धाराएं हैं जिनके अनुसार फांसी की सजा दी जाती है है और जिनको कि चार वर्गों में हम बांट सकते हैं। पहला वर्ग इसमें राज्य के विरुद्ध अपराध किये जाने का है और दूसरा मिथ्या साक्ष्य का है। राज्य के विरुद्ध जो अपराध होता है वह धारा १२१ और १३२ है और मिथ्या साक्ष्य की धारा १९४ है। फिर दूसरा वर्ग है व्यक्ति के विरुद्ध जो अपराध किया जाता है उसमें ३०२, ३०३, ३०५ और ३०७ धाराएं आती हैं। चौथे प्रकार का वर्ग हत्या सहित डकैती है उसके वास्ते ३९६ धारा है।

इसके साथ ही साथ धारा १४९ के अनुसार अगर कोई कानूनी अपराध करे तो सब्सटेंशिएल औफेंस के अनुसार उन्हें भी सजा हो सकती है।

भारतीय परम्परा में चार प्रकार के दण्डों की व्यवस्था है, धिकदण्ड, वाक्दण्ड, धनदण्ड और वध का दण्ड। पाश्चात्य सिद्धान्तों के अनुसार भी चार प्रकार के दंडों की व्यवस्था है, लेकिन भारतीय परम्परा से वे मेल नहीं खाते। पाश्चात्य दण्ड-विधान मे जो चार प्रकार के दण्ड हैं, वे ये हैं:—निरोधात्मक, सुधारात्मक, प्रतिशोधात्मक और भयात्मक।

भारतीय दण्ड संहिता का सिद्धान्त वह केवल भौतिकता पर ही नहीं, बल्कि आध्यात्मिकता पर भी आधारित है। इस प्रकार से आप देखेंगे कि भारतीय दण्ड विधान की प्राचीन व्यवस्था अधिक वैज्ञानिक है। भारत वर्ष में दो प्रकार की विचारधारायें रही हैं—सुर धारा और असुर धारा और इन दोनों विचारधाराओं के अपने-अपने आचार्य हुए हैं। शुक्राचार्य ने स्पष्ट कहा है कि वध-दण्ड नहीं देना चाहिए, उस को रोक देना चाहिए।

जहां तक सुर धारा अर्थवा देव धारा अथवा मानवता का सम्बन्ध है, महाभारत के शान्तिपर्व में भी यह प्रश्न उपस्थित हुआ था कि मृत्यु-दण्ड देना चाहिए या नहीं। इस विषय में युद्धिष्ठिर के प्रश्न के उत्तर में भीष्म पितामह ने सत्यवान् और सुत्सेन की प्राचीन गाथा कही थी। मृत्यु-दण्ड को बनाए रखने के पक्ष में आज जो दलीलें हाउस आफ कामन्स में दी गई हैं, करीब-करीब वही दलीलें सुमत्सेन ने दी थीं, जिनका उत्तर सत्यवान् ने दिया था।

सत्यवान् ने उत्तर देते हुए कहा था कि जो दण्ड-विधान शरीर के पांच तत्वों को अलग कर देता है, उसका प्रयोग नहीं करना चाहिए। उनका कहना था कि शरीर हत्या नहीं करता—हत्या तो करता है मन और बुद्धि। शरीर साधन है, इसलिये अगर दण्ड के द्वारा शरीर की हत्या की जाती है, तो उस अवस्था में मन, बुद्धि या आत्मा को दण्ड नहीं मिलता है, जो कि वास्तव में दण्ड के भागी हैं।

इस के बाद उन्होंने यह कहा कि मूल का ही घात अर्थात् शरीर का नाश दण्ड के द्वारा करना सनातन धर्म नहीं है। सनातन कानून क्या था? उन्होंने कहा कि सनातन कानून यह नहीं है कि शरीर का नाश किया जाये, बल्कि यह है कि मन और बुद्धि का सुधार किया जाये।

उन्होंने यह भी कहा कि मनुष्य की दस्यु वृत्ति का अन्त करना चाहिए। मनुष्य की मानसिक बीमारियों और हत्या करने के तम का प्रतिकार करना चाहिए और वह तभी हो सकता है, जब कि मनुष्य का विकास होगा।

[श्री रघुनाथ सिंह]

उन्होंने यह भी कहा कि भय के द्वारा प्रजा को शुभ कर्मों में लगाना ही दंड का उद्देश्य है—किसी प्राणी के प्राण लेना नहीं, बल्कि हत्या को रोकना ही हमारा लक्ष्य है ।

हम लोगों ने महात्मा गांधी के नेतृत्व में अहिंसा के आधार पर राज्यक्रांति की । उन्होंने हरिजन में स्पष्ट तौर पर यह लिखा—

"मैं मृत्यु-दंड को अहिंसा का विरोधी मानता हूं । आदमी मर जाता है, तो दंड कौन भोगता है । मर कर वापस आने या दंड की बात कहने योग्य वह नहीं रहता । केवल ईश्वर ही प्राण हरण कर सकता है । उसने ही मानव-जगत को जीवन-दान दिया है ।"

इस प्रकार आप देखेंगे कि वैदिक काल से लेकर आज तक हमारी यह परम्परा रही है कि मनुष्य शरीर का दोष नहीं है, दोष है बुद्धि और मन का और इसलिए सुधार करना चाहिए बुद्धि और मन का ।

इस दुनिया में पांच महाद्वीप हैं, जिनमें से साढ़े तीन महाद्वीपों का स्थान ईसाई धर्म के मानने वालों का है और केवल डेढ़ महाद्वीप के क्षेत्र में हिन्दू, मुस्लिम और बौद्ध आदि रहते हैं । ईसाइयों के ओल्ड टेस्टामेंट में जरूर आंख के बदले आंख, नाक के बदले नाक और हत्या के बदले हत्या का सिद्धान्त प्रतिपादित किया गया है । लेकिन ईसा मसीह ने इसके विरुद्ध आन्दोलन किया । उनका न्यू टेस्टामेंट बाइबल के ओल्ड टेस्टामेंट के खिलाफ एक सुधारवादी आन्दोलन था । उसमें उन्होंने स्पष्ट कहा है : डाउ शैल्ट नाट किल अर्थात् तुमको हत्या नहीं करनी चाहिए, यू आर दी साल्ट आफ दि अर्थ अर्थात् मनुष्य भूमि पर लवण है, रिवेंज इज मइन अर्थात् प्रतिशोध को तुम मेरे लिए छोड़ दो ।

इसी प्रकार जब इस्लाम धर्म का आविर्भाव हुआ, तो हजरत मुहम्मद ने यह अनुभव किया कि वध के दंड के द्वारा प्रतिहिंसा की भावना उत्पन्न होती है । लिहाजा उन्होंने कहा कि अगर कोई किसी व्यक्ति की हत्या करता है, तो अगर हत व्यक्ति का कोई रिश्तेदार आदि रुपया लेकर या क्षमा करके हत्यारे को छोड़ देना चाहे, तो उस को मृत्यु-दंड नहीं देना चाहिए ।

इस सम्बन्ध में मैं आपके सामने इस्लाम का केवल एक उदाहरण रखना चाहता हूं । हिन्दा नामक एक स्त्री हजरत हम्जा, जब वह युद्ध में हार गये, के हृदय को निकाल कर खा गई । जब वह हजरत मुहम्मद के सामने आई, तो उन्होंने कहा कि इसको क्षमा कर दो । इसका फल यह हुआ कि सारी कुरेश जाति में सदियों से जो प्रतिहिंसा की भावना थी, वह खत्म हो गई और इस्लाम धर्म का प्रचार गर्वा से अटलान्टिक महासागर तक हुआ ।

भगवान बुद्ध ने सारनाथ में, जो कि मेरी कांस्टीट्युएंसी है, पहले-पहल भाषण देते हुए कहा, "भिक्षुओ, दो अतियों के बीच के मार्ग का अनुकरण करो", अर्थात् मृत्यु-दंड और साधारण दंड, इन दोनों के बीच के मार्ग का अनुसरण किया जाए । इस प्रकार भगवान बुद्ध ने भी मृत्यु-दंड को अग्राह्य माना है ।

चूंकि आज-कल हम यूरोप की शिक्षा से बहुत प्रभावित हैं, इसलिए मैं यूरोप का भी उल्लेख कर देना चाहता हूं । यूनान की जूरिसप्रूडेंस, यूनानी कानून, मृत्यु-दंड को ग्राह्य नहीं मानता । सुकरात ने कहा कि मनुष्य का शरीर जलवायु का क्षय-जनता

मन्दिर है और भगवान के मन्दिर को नष्ट नहीं करना चाहिए । उसके सुधार करने का अवसर देना चाहिए ।

आज-कल हम रोमन ला का बहुत उल्लेख करते हैं । रोमन ला में, टवैल्व टेबल्ज आफ रोमन ला में, मृत्यु-दंड का उल्लेख नहीं है । रोमन ला के अनुसार जो व्यक्ति हत्या करे, उसको मृत्यु-दंड देना लाजिमी नहीं है । वह रोमन ला के विपरीत है ।

श्री बड़े (खरगोन) : रोमन ला में मृत्यु-दंड की सजा दी हुई है ।

श्री रघुनाथ सिंह : मैं यह बताने जा रहा हूं कि मृत्यु-दंड की प्रथा कैसे प्रारम्भ हुई ।

रोमन और जर्मन जातियों में हत्या का सम्बन्ध व्यक्ति से होता था, स्टेट से नहीं होता था । आज हमने उसको उल्टा कर दिया है और हत्या का सम्बन्ध राज्य से कर दिया है। पहले हत्या का सम्बन्ध व्यक्ति से होता था, जिसको हमने बिल्कुल उलट दिया है । इस प्रकार से आप देखेंगे कि मृत्यु-दंड की परम्परा रोमन और यूनानी कानून के बिल्कुल विरुद्ध है ।

प्रश्न यह है कि मृत्यु-दंड आया कैसे । सोलहवीं सत्रहवीं शताब्दी में जब यूरोप में मध्य युग आरम्भ हुआ, तो किसी भी बात के लिए मृत्यु की सजा दी जाने लगी। मामूली चोरी और गुस्से के अपराध जैसे दो सौ अपराधों के लिए मृत्यु-दंड दिया जाने लगा । हनरी दि एट्थ के समय में करीब ७२,००० आदमियों को मृत्यु-दंड दिया गया । इसी प्रकार एलिजाबेथ के समय में १८,००० आदमियों को मृत्यु-दंड दिया गया । छोटी-छोटी बातों के लिए मृत्यु-दंड दिया जाने लगा । लेकिन जब यूरोप में रेनेसांस हुआ, पुनरुत्थान हुआ, तो लोगों ने रोमन ला का अध्ययन करने के बाद यह अनुभव किया कि इस दंड प्रथा में परिवर्तन होना चाहिए । इस प्रकार से आप देखेंगे कि पहले-पहले अठारहवीं शताब्दी में यूरोप में यह आन्दोलन आरम्भ हुआ कि सब राज्यों में मृत्यु-दंड की प्रथा को बन्द किया जाना चाहिए ।

मैं आपके सामने कुछ आधुनिक युग के उदाहरण पेश करना चाहता हूं । अमरीका के मध्य अमरीका और दक्षिण अमरीका के जितने बीस-पच्चीस देश हैं, उनमें से केवल छः में मृत्यु-दंड की प्रथा है, बाकी देशों में जिनको आप लैटिन अमरीकी देश कहते हैं यह प्रथा नहीं है । आप उत्तर अमरीका को लें । उसमें पहले ४८ राज्य थे और अब ५० हो गए हैं । वहां पर केवल चार राज्यों में उसे फिर से लागू किया गया है, ३८ राज्यों में मृत्यु-दंड का अधिकार केवल ज्यूरी को दे दिया गया है, जजों को नहीं दिया गया है । हमारे दातार साहब बहुत जोरों से इस पर बहस करेंगे, इसवास्ते मैं उनको बतलाना चाहता हूं कि ३८ राज्यों में अमरीका में ज्यूरी को अधिकार दिया गया है कि वह मृत्युदंड दे सकती है, जजों को वह अधिकार नहीं दिया गया है ।

अब मैं यूरोप को लेता हूं । आस्ट्रिया में १९५० में यह दंड समाप्त किया गया है। बैल्जियम में १८६६ में यानी आज से कोई सौ वर्ष पहले यह दण्ड स्थगित किया गया और आज तक स्थगित है । डेनमार्क में १८९८ में यह दण्ड स्थगित किया गया और १९३६ में इसको बिल्कुल ही समाप्त कर दिया गया । आज भी वहां मृत्यु-दण्ड की व्यवस्था नहीं है । इतना होने पर भी वहां पर हत्याओं की तादाद बढ़ी नहीं है, बल्कि कम हुई है । फिनलैंड में १८८६ में इसको समाप्त कर दिया गया । आइसलैंड में इसको समाप्त किया गया । हालैंड में १८५० में इसको स्थगित किया गया और १८७० में बिल्कुल समाप्त कर दिया गया । हालैंड के हत्याओं के जो आंकड़े हैं उनसे सिद्ध होता है कि हत्याओं के जो अपराधों की संख्या में बढ़ोतरी नहीं हुई है, बल्कि कमी ही हुई है । नार्वे में १८७५ में इसको स्थगित किया गया और १९०५ में इसको बिल्कुल

[श्री रघुनाथ सिंह]

समाप्त कर दिया गया। वहां पर भी अपराधों की संख्या में कोई वृद्धि नहीं हुई है। आप पुर्तगाल को लीजिये। उससे अभी-अभी हमने गोआ लिया है। पुर्तगाल से हमारे दातार साहब को कुछ सीखना चाहिए। वहां पर १८६७ में मृत्यु-दण्ड की व्यवस्था को समाप्त किया गया और आजतक पुर्तगाल में फांसी की सजा नहीं दी जाती है। स्वीडन में १९१० में इसे स्थगित किया गया और १९२० में समाप्त किया गया। स्विटजरलैंड में १८७४ में समाप्त किया गया लेकिन पांच बरस बाद १८७९ में कैन्टन्ज को राइट्स दिये गये कि वे चाहें तो अपने यहां मृत्यु-दंड समाप्त कर सकती हैं। इसका फल यह हुआ कि पन्द्रह कैन्टन्ज में अर्थात् ७५ सैंकड़ा जहां पर आबादी स्विटजरलैंड की बसती है, वहां इसको बिल्कुल समाप्त कर दिया गया है। इसके बाद १९४२ में सारे स्विट्जरलैंड में इसको समाप्त कर दिया गया और तब से आज तक हत्या के अपराधों में वृद्धि नहीं हुई है। बल्कि कमी ही हुई है। इटली में १८९० में इसे समाप्त कर दिया गया लेकिन १९३१ में जब फासिस्ट वहां पावर में आये तो वहां तो उन्होंने इसको फिर जारी कर दिया। लेकिन १९४४ में जब उनका शासन समाप्त हुआ तो फिर से मृत्यु-दण्ड की प्रथा इटली में समाप्त कर दी गई। वहां पर भी हत्याओं की तादाद कम हुई है, बढ़ी नहीं है। वेस्ट जर्मनी में २५-५-१९४९ को इसे समाप्त किया गया। वहां पर हत्याओं की तादाद कम हुई है। सोवियट रशिया में मृत्यु-दण्ड समाप्त है। आस्ट्रेलिया में क्वींजलैंड में १९११ में इसको स्थगित किया गया और १९२८ में बिल्कुल समाप्त कर दिया गया। न्यूजीलैंड में १९३५ में इसको स्थगित किया गया और १९४१ में समाप्त किया गया। १९५० में फिर लाया गया और १९६१ में फिर वहां पर मृत्यु-दण्ड समाप्त कर दिया गया। (*Interruptions*).

Mr. Speaker: Everyone who is keeping must be assured of a peaceful and calm environment or surrounding.

Shri Nambiar (Tiruchirapalli): The hon. Member likes appreciation.

Mr. Speaker: He likes, but I do not.

श्री रघुनाथ सिंह : इस प्रकार से न्यूजीलैंड में १९६१ अक्तूबर में मृत्यु-दण्ड बिल्कुल समाप्त कर दिया गया।

एक देश रह जाता है ब्रिटेन और अब मैं उसके बारे में कुछ कहना चाहता हूं। उसके पीछे चलने की हम बड़ी कोशिश करते हैं। १९३० में जो सिलेक्ट कमेटी हाउस आफ़ कामंज की बनी थी, उसका यह रिमार्क था :—

"All the statistics we have examined confirm the fact that abolition of the death penalty has not increased the death-rate in the country.".

उसके बाद १९५३ में रायल कमीशन जिसका जिक्र बहुत से माननीय सदस्य करेंगे, उसने जो कुछ कहा है, उसका भी मैं जिक्र कर देना चाहता हूं। १९५३ में रायल कमिशन जो स्थापित किया गया, उसका रिमार्क था :—

"There is no clear evidence of any influence of the death penalty on the homicide rates.".

वह किसी निष्कर्ष पर नहीं पहुंच सका कि अगर मृत्युदण्ड को समाप्त कर दिया जाए तो हत्याओं की संख्या बढ़ेगी या कम होगी। १९५६ में हाउस आफ कामंज में यह प्रश्न गैर-सरकारी विधेयक के रूप में और उसके बाद फिर संकल्प के रूप में पेश हुआ। हाउस आफ कामंज ने पहले तो उसको स्वीकार किया और बाद में उसको अस्वीकार किया। १८११ में इंग्लैंड में पार्लिमेंट की एक कमेटी बनी जिसने बहुत से केसिस की तालिका उपस्थित की और उस तालिका में उसने इस प्रश्न को रखा और एक प्रतिवेदन उपस्थापित किया कि

मृत्युदण्ड उठा दिया जाए। १८४५ में न्यू यार्क में लैजिस्लेचर की एक कमेटी बनी, उसका भी यही मत था कि अगर मृत्युदण्ड को उठा दिया जाए तो उससे हत्याओं की तादाद बढ़ेगी नहीं बल्कि कम होगी। १८ अप्रैल, १९६२ को, आज से केवल तीन दिन पहले ब्रिटेन के जितने पादरी थे, वे इकट्ठे हुए और उन्होंने एक प्रस्ताव पारित किया कि ब्रिटेन से मृत्यु-दण्ड को हटा दिया जाए जब कि हाउस आफ कामंज ने यह प्रस्ताव पास किया था कि इसको कायम रखा जाए।

इस तरह मैं कहना चाहता हूं कि आज विश्व का जो प्रगतिशील विचार है वह विचार इसी पक्ष में है कि मृत्यु-दण्ड को हटा दिया जाना चाहिए।

मैं हिन्दुस्तानको लेता हूं। १९५८ में १०,६६१ हत्या के केस हुए। १९५९ में १०,८२१ हुए और १९६१ में ११,२०० हुए। आप तो यहां हत्या करने वाले को फांसी के तख्ते पर लटका देते हैं लेकिन इतना होने पर भी अपराधों में कमी नहीं हुई है बल्कि वे बढ़े ही हैं। लेकिन जिन देशों में मृत्यु दण्ड को उठा दिया गया वहां पर अगर अपराधों में कमी नहीं हुई तो बढ़ोतरी भी नहीं हुई है।

नीदरलैंड में १० लाख में सिर्फ एक आदमी की हत्या हुई है। इंग्लैंड में तीन आदमियों की दस लाख में हुई है, स्काटलैंड में दो आदमियों की। लेकिन हिन्दुस्तान में यह तादाद बहुत बड़ी है। यहां पर दस लाख के पीछे २९ आदमियों की हत्यायें हुई हैं। इस प्रकार से जिन देशों में मृत्यु-दण्ड की व्यवस्था हटा दी गई है उन देशों में हत्या के अपराध कम हुए हैं। हमारे यहां १९५९ में २५७ मर्सी पेटीशंज दातार साहब के सामने आईं। उनमें से ५६ को ट्रांसपोर्टेशन फार लाइफ हुआ। १९६० में २६३ आईं, उनमें से ४७ को आपने माफ किया। होता यह है कि जिसकी पैरवी पहुंच जाती है, वह तो फांसी के तख्ते पर लटकने से बच गया और जिस बेचारे की पैरवी नहीं पहुंची वह फांसी के तख्ते पर झूल गया। इस वास्ते भारत में जो सबसे बड़ी चीज हमारे सोचने की है वह . . .

अध्यक्ष महोदय : आपके लिए यह कहना उचित नहीं है कि "पैरवी पहुंच गई"।

श्री रघुनाथ सिंह : पैरवी कैसी होती है, केस की पैरवी, अदालत की पैरवी . . .

अध्यक्ष महोदय : इसका गलत अर्थ निकल सकता है।

श्री रघुनाथ सिंह : अदालत की पैरवी की बात मैं कर रहा था।

श्री वी० बं० शर्मा : आपने गलत इस्तेमाल किया।

अध्यक्ष महोदय : अच्छा, अब समय समाप्त हो रहा है, आप खत्म कीजिये।

श्री रघुनाथ सिंह : थोड़ा सा समय तो और दीजिये।

अध्यक्ष महोदय : सारी दुनिया घूम घूम आए, अपने देश के लिए बहुत थोड़ा वक्त रखा आपने।

15 hrs.

श्री रघुनाथ सिंह: अब मैं आपको ला कमिशन की रिपोर्ट के बारे में कुछ बतलाऊंगा। हमारे यहां अदालतों में जो फैसले होते हैं उसके तीन साधन होते हैं। इन्वेस्टिगेशन, प्रोसिक्यूशन और उसके बाद अदालत में मुकदमे जाते हैं। ला कमिशन की रिपोर्ट के पेज ७३६ पर आप देखेंगे कि इन्वेस्टिगेशन के बारे में उनकी क्या राय है। वे लिखते हैं :

"Some high-ranking police officers frankly admitted that investigation has terribly deteriorated."

[श्री रघुनाथ सिंह]

इसी प्रकार पेज ७३८ के पैरा ११ में ला कमिशन कहता है :

"The senior police officials who appeared before us admitted that many police officers do not have sufficient training in the matter of investigation."

इन्वेस्टिगेशन साइड में जो लोग फौजदारी की वकालत करते हैं उनसे पता चलता है कि अगर थानेदार साहब के पास पैरवी पहुंच गई या इन्वेस्टिगेशन आफिसर के पास पहले से पैरवी पहुंच गई तो अच्छे से अच्छा मुकदमा सफल नहीं हो सकता । जिसके पास पैसा है, जो अच्छी तरह से अपनी पैरवी कर सकता है, वह सफल हो जाता है । इसी प्रकार इस कमिशन ने प्रोसिक्यूशन के बारे में भी लिखा है :

"The Director of Public Prosecution. He is an official appointed by the Home Secretary from among the barristers or solicitors of ten years' standing."

यू० के० का सिस्टम है कि जो आदमी दस वर्ष से बैरिस्टर रहा होता है वहां प्रासिक्यूशन अफसर होता है । उसी के हाथ में प्रासिक्यूशन का काम होता है और वह इन्डेपेन्डेन्ट होता है । अमरीका में क्या होता है, यह आप उस रिपोर्ट के पेज ७६८ पर पायेंगे :

"In the American legal system, prosecutors are generally elected by the people for the fixed term and appear to enjoy greater power than their counterparts in England."

यानी वहां पर इन लोगों का चुनाव होता है और वे बिल्कुल इन्डेपेन्डेन्टली काम करते हैं । लेकिन यहां क्या होता है ? यहां यह है कि जो प्रोसिक्यूशन है वह पुलिस का ही एक अंग है । वह पुलिस से अलग नहीं होता, इस वास्ते जो पुलिस की जो इच्छा होती है वह उसको सामने रखता है ।

दूसरी बात मैं यह कहना चाहता हूं कि जब तक एग्जिक्यूटिव और जुडिशिअरी का पूर्ण सेपरेशन नहीं होता तब तक हमें इस फांसी की सजा को स्थगित रखना चाहिये ।

इस के बाद आप देखेंगे कि हमारे हाई कोर्टस् में ऐसे बहुत से केसेज जाते हैं जिन में कि सेशन्स कोर्ट में आदमी को फांसी की सजा होती है लेकिन वह हाई कोर्ट से छूट जाते हैं । अगर आदमी के पास रुपया है, साधन हैं, अच्छा बैरिस्टर है, अच्छा वकील है, आदमी की पैरवी अच्छी हो सकती है, तो वह छूट भी सकता है । जज के सामने अच्छी तरह से केस कराया जा सकता है, लेकिन मर्डर केसेज में इस तरह से नहीं होता है । आप देखिये जा कर तो आप को पता चलेगा कि हिन्दुस्तान में जो हत्यायें होती हैं वे ज्यादातर देहातों में होती हैं । इस तरह के केसेज भी आप देश में ७ प्रतिशत पायेंगे जिन में कि लेमिक्स क्यूरी होता है, अर्थात सरकार की तरफ से अपराधी को वकील दिया जाता है । वह सरकार की ओर से बहुत थोड़ा रुपया मुकदमा करने के लिये पाता है । ऐसी हालत में वह क्या पैरवी कर सकता है ?

इसलिये मेरा निवेदन है कि अगर पूरी तरह से आप अभी मृत्यु-दंड को समाप्त न कर सकें, तो कम से कम जो अमेंडमेंट श्री बालकृष्ण जी ने रखा है उस को ही स्वीकार कर लिया जाये । अर्थात् इस सम्बन्ध में इन्क्वायरी कराई जाये । जैसे कि इंग्लैंड में हुआ था, इस के लिये एक कमीशन बनाया जाये । जब तक कमीशन की रिपोर्ट न आ जाय तब तक हत्या के अपराध के जितने केसेज हैं उन के मृत्यु-दंड को रोक दिया जाये । मेरा निवेदन है कि यह तीसरा पार्लियामेंट के लिये बड़ा शुभ दिन है और इस दिन शुभ बातें होनी चाहियें । यहां से इस की आवाज उठनी चाहिये कि जिस शरीर को ईश्वर ने बनाया है, उस शरीर को मनुष्य नष्ट न कर सके ।

Mr. Speaker: Resolution moved:

"This House is of opinion that capital punishment be abolished".

There are some amendments to the Resolution.

Dr. L. M. Singhvi (Jodhpur): I beg to move:

"That for the original Resolution, the following be substituted, namely:

'This House is of opinion that Government should take immediate steps to set up a Commission consisting of eminent lawyers, judges and Members of each House of Parliament to consider the desirability of enacting legislation for the abolition of capital punishment in India'." (1).

Shri Bade: I beg to move:

"That for the original Resolution, the following be substituted, namely:—

"This House is of opinion that a Committee of eleven members consisting of legal experts and Members of Parliament be appointed to investigate and report under what circumstances, the capital punishment could be abolished'." (3).

Shri Shree Narayan Das (Darbhanga): I beg to move:

"That for the original Resolution, the following be substituted, namely:—

'This House is of opinion that a Commission of inquiry be appointed to ascertain the views of the public in general and jurists, legal experts and social reformers in particular as well as to study the position in this regard existing in other countries with a view to consider the necessity, desirability and feasibility of abolishing capital punishment and to make recommendations thereon'." (4)

Shri Bal Krishna Singh (Chandauli): I beg to move:

"That for the original Resolution the following be substituted, namely:—

'This House is of opinion that a Committee be appointed to report to this House the consequences of abolishing the capital punishment in India'" (5).

Mr. Speaker: As regards Shri P. R. Patel's amendment, it is not in order because it deals with amendment to the penal laws—a different matter.

Shri P. R. Patel (Patan): Looking to the sections concerning the punishment, I would humbly submit that the amendment I have tabled would be in order.

Mr. Speaker: He could certainly give notice of an amendment to the Penal Code in which the offence has been dealt with.

Shri P. R. Patel. My submission is that the original Resolution is for the abolition of the death penalty.

Mr. Speaker: He does not want total abolition of the death penalty.

Shri P. R. Patel: What I want is that the penal law may be so amended that the death penalty may be awarded in certain circumstances only.

Mr. Speaker: That is a different matter. He might move a Bill to amend the Penal Code stating under what circumstances the death penalty should be awarded.

Then there is an other amendment tabled by Shri Balakrishnan. He is absent.

Then there is Shri Harish Chandra Mathur's amendment.

Shri D. C. Sharma: It is out of order.

Shri Harish Chandra Mathur: It is not out of order.

Mr. Speaker: It has been received very late and could not be circulated. Of course, this is the first day and I could condone it if the hon. Member insists that he wants to move it. But this should not be taken as a precedent for the future. Hon. Members would kindly see that they give notice in time. Today I will waive notice.

Shri Harish Chandra Mathur: I beg to move:

"That for the original Resolution, the following be substituted, namely:—

'This House is of opinion that the question regarding the abolition of capital punishment be referred to the Law Commission." (8).

Mr. Speaker: The original resolution and the amendments moved are before the House.

The time-limit shall be ten minutes for each hon. Member.

Shri Jaipal Singh.

Shri Jaipal Singh (Ranchi West): I shall have a self-denying ordinance and do it in five minutes.

Mr. Speaker: That would give me an opportunity to impose a limit of 5 minutes.

Shri Jaipal Singh: No, Sir. Then make it 15 minutes.

Mr. Speaker, Sir, may I take this opportunity of felicitating you on your unanimous election to the Chair? The other day I tried to catch your eye, but I was not very lucky. I know that bad luck on one occasion does not mean bad luck all the time. Sir, you and I have worked together and there could have been no better choice.

Mr. Speaker: I say that all this should not be said when capital punishment is being discussed.

Shri Nambiar: You yourself might have given capital punishment. Nobody knows.

Shri Jaipal Singh: I have no reservation whatever in supporting this Resolution. I did not realise that my hon. friend, Shri Raghunath Singh, was such a great student of comparative religion. He might as well have taken the place of the Institute of Statistics. He has suddenly developed into a student of western theology. He knows the Bible as much as Satan knows. Satan also can quote the Bible. This is the first time my hon. friend has done so (*Interruptions*).

I accept all his arguments. Statistics are always a dangerous thing. He quoted what the rest of the world was doing and said, 'Therefore, abolish capital punishment.' If I am fortunate enough in the next five years to have a resolution on the abolition of Prohibition, I hope statistics will be of some avail to my hon. friends on the other side, as to what other countries do, what they have done in regard to Prohibition and how Prohibition has failed. Let us also fall in line with the rest of the world. To me, this is the weakest argument in his resolution. I am not concerned with what the rest of the world does. We in India certainly must not be blind to the rest of the world. Let us learn, let us be willing to learn from the experience of others, but let us not accept this kind of expediency. When it suits us, well, then, the rest of the world is wonderful. When it does not suit us, then we try to preach sermons to the rest of the world. That is not the way to approach things.

The question of capital punishment is a question of values, the values we put on human life. What are the values we put on human life in this country? That is the issue. It is not a question of the value you put before independence. We are now a free country.

15.11 hrs.

[SHRI MULCHAND DUBE *in the Chair*]

There is one way of facing this problem, and that is to reduce our population. I know my hon. friend from Gurdaspur will think of family planning. That is one way of reducing our population to meet our food problem. Then, there are the natural disasters and so forth, and you can come to capital punishment as one way of reducing our liabilities.

Dr. P. S. Deshmukh (Amravati): Double liability;

Shri Jaipal Singh: The point is this. Let us face facts. Is abolition of capital punishment going to reduce murders? My hon. friend has given certain figures. They have no meaning whatever, none whatever.

Shri Harish Chandra Mathur: Why? Enlighten us.

Shri Jaipal Singh: If he has any knowledge of mathematics, any knowledge of simple arithmetic, his argument is of no avail. In Switzerland or somewhere else, because capital punishment has been abolished, murders have receded. Are we Switzerland in this country? Are we to fool ourselves into believing that we are Canada or Australia or something else? We are dealing with India. But it is because we are India, because I have full faith in my own countrymen, the masses and masses even in the villages where crimes and murders are committed—I myself would not hesitate to commit murder in certain circumstances; I would not, let me make it very, very clear.

Shri Sham Lal Saraf (Jammu and Kashmir): Is he supporting or opposing the main resolution?

Shri Jaipal Singh: I am not giving way.

Shri Sham Lal Saraf: On a point of order, Sir. From what the hon. Member has said, is he supporting the resolution or what?

Mr. Chairman: There is no point of order there.

Shri Jaipal Singh: What I am trying to say is this. My hon. friend who hails from an urban area has been good enough to compliment the rural areas on committing this type of crime. It is in the rural areas these things happen. I come from a village. I want to tell you that in certain circumstances, it is not because I am mentally deranged that I would do it.

उन्होंने कहा कि यह एक मानसिक रोग है

It is a mental disease. Well, I do not know whether he is a psychiatrist or psychologist or what, but the fact is that he says that crimes occur in the rural areas where they are not able to defend themselves.

उन्होंने कहा कि पैरवी की ताकत नहीं है।

In other words, a rich man can get away with murder; the poor man is nowhere because he has not got the wherewithal to defend himself. I am not concerned with the rich man or the poor man. The question is that we in independent India today have got to make up our mind whether capital punishment should be the order of the day.

I support him despite his statistics, his statistics is the biggest weakness in his argument—because I do hope that in the ballot my resolution on the abolition of prohibition will come some day, and I shall give full statistics to show that 98 per cent of the world is against prohibition, and I hope, therefore, that he and his colleagues, the whole lot of them on that side, and of course on this side because they are committed to the abolition of prohibition. . . .

Shri Nambiar: No, no. The Communist Party is supporting prohibition.

Shri Jaipal Singh: I am not talking of the Communist Party. I know them individually and personally and socially and otherwise. I know their habits. They are gentlemen, and I respect them as such.

[Shri Jaipal Singh]

The question is this. I do feel very strongly that we being wedded to non-violence—we are not wedded to non-violence in our language, as far as I can see—a part of the same pattern is that capital punishment does not seem to fit in with the doctrine of non-violence. I feel no man is beyond redemption. If it is possible for a man to be reformed, for him to be something other than what he has become by the commission of a particular crime, that is what medicine means. The man has a disease, that disease can be cured.

I said five minutes, so I stick to my six minutes. I support the resolution. I do feel it is in the fitness of things that a great country like India, without trying to be a cheap imitation of other countries but *suo moto* on its own, accept that the human being, a creation of God, has a right to live.

Shri D. C. Sharma: While I was listening to the eloquent speech of my hon. friend Shri Raghunath Singh, I felt that he was living in some kind of utopia, and it will take, I think, thousands of years before his utopia becomes a reality.

Of course, he has given us instances from other countries, he has given us statistics. He has quoted from the scriptures, he has also given citations from the scriptures of other countries. He has done all that, but I would submit very respectfully that he has not been able to make a convincing case for the abolition of capital punishment. This is so because if we want to abolish it, we have to change the entire pattern of our living and the entire structure of society.

We are living in a competitive world, in a violent world, in a world where great nations do not agree even about the preamble to a resolution on general and complete disarmament. We are living in a world where people would go to any length of crime for very simple reasons. I read in the morning paper today that a supervisor of a university examination, who had detected a case of unfair means in an examination hall, was fatally stabbed. What kind of world is this in which we are living? I also read in the morning paper that two gentlemen had been speared to death. When we are living in a world of that kind where human life is held so cheap, where murder stalks the streets of cities and is found in the alleys of villages, I think to talk of the abolition of capital punishment is nothing but wishful thinking, and I believe that being adult Members of this adult House we should not indulge in wishful thinking.

There are some hon. Members who have given amendments saying that this problem should be studied by this Commission or that Committee consisting of Members of Parliament. Of course, we are a very happy lot and we do not omit ourselves so far as any Commission goes. But the question is this. This problem has already been before the U.N.; and I think the U.N. has sent out a questionnaire; and also the Society of friends is studying this very problem I think the report of the Commission will be out in the year 1962 or at the most in the year 1963. Therefore, there is no use in duplicating the efforts which are already being made at a higher level and on a much bigger scale by the U.N. (*Interruptions*). I think there is no need to appoint a Commission to study this.

I was submitting that so long as we are living in this kind of world, the abolition of capital punishment will remain only a dream, though a very beautiful and happy dream. In order that this world may be made better, may be made happier—not criminal—may be more free of all kinds crimes, we have to resort to other things.

I would ask one question of my hon. friend, Shri Raghunath Singh. Does he think that a person who commits treason should not be subject to capital punishment? Does he think that a person who commits genocide should

not be made the victim of this capital punishment; a person who takes the life of somebody else should go scot free? A person who indulges in kidnapping and abducting little children and doing all kinds of injuries to them, maiming them and deforming them and doing all kinds of anti-social things to them, according to Shri Raghunath Singh, should go scot free. (*Interruption*).

I would say that there are certain very serious crimes in this world. There are certain crimes which should have the utmost deterrent punishment. I feel that so long as those crimes are there, there is no reason to abolish capital punishment.

It has been said that abolition of capital punishment has proved to be deterrent. Where has it proved to be deterrent? I do not think so. I think that even in those places where we have capital punishment in this world.....

Shri Raghunath Singh: It is quite the reverse; I did not say that. I said it is reformative and not deterrent.

Shri D. C. Sharma: In most of the countries where capital punishment exists, the curve of crime is steadily mounting. The index of crime is going up and if you do not make this really deterrent, I am sure, we shall be giving a kind of fillip to those anti-social elements in our society which already exist. I do not think the time is ripe now for the abolition of this capital punishment. Some day it may be possible to get it done; but, at present, there is very little chance for it.

I agree with Shri Raghunath Singh that every human being should have the right to live. But, do you mean to say that another human being should have the power to take away from me the right to live? It is something mutually reciprocal. And, so long as this mutuality, this reciprocity is not there, I do not think you can think of abolishing this capital punishment. This right to live is conditioned by so many things. In the preamble to the resolution which was given there at the U.N. it is stated that every human being has the inherent right to live. I agree. The right should be protected by law. I agree. No one shall be arbitrarily deprived of his life. I want that the use of the word 'arbitrarily' should be noted in its proper context or literally. If anybody is hanged, he is hanged according to due process of law. Of course, law sometimes can go wrong; everything can go wrong. But, the person who is hanged suffers this punishment by due process of law. A man could be deprived of his life if he has done something anti-social, by due process of law.

In countries where the death penalty has not been abolished, a sentence of death can be imposed and the man hanged only in accordance with the law in force at the time of the commission of the crime and not contrary to the provisions of law. This is exactly what is being done here. It is not as a result of spite or a command by a despot or some monarch who does not know his mind. It is done after due investigation and due sifting of evidence and after duly weighing the *pros and cons* of the case.

In India we are living in a transitional period. We have been subjected to so many social and other kinds of pressures in this country. We have seen so many things happening in this country of late; and I feel that, in this transitional period, we have to teach the people the sanctity of life. We have to teach the people the sanctity of law; we have to teach the people the sanctity of the social forces working in human society, not the forces which disrupt human society. Because human society should be held together, all those persons who have anti-social drives, who have anti-social inclinations should be dealt with properly. Those persons who represent this kind of anti-social proclivities in the highest form should be dealt with

[Shri D. C. Sharma]

by law and they should be given this capital punishment. I feel that in India the anti-social elements are gaining ground everywhere and that this death penalty is a deterrent for them. It should be kept there as part of our Penal Code.

Shri Umanath (Pudukkottai): Sir, I support the motion. The hon. Member who moved the Resolution has dealt with the historical aspect and so I leave that point and go straight to the question.

The term, capital punishment, as such looks all right; it looks very decent. But the content is most atrocious. The law itself says that even if at the spur of the moment or in a fit of excitement murder takes place, it should not permitted because it is the disposing of a precious human life. Correct. I agree with that. But this law turns back and says that you can have calculated murder, cold-blooded murder in return for that. I do not understand the logic of this. What is capital punishment? It is hanging. It means that if a murder takes place in a fit of excitement that cannot be pardonable according to law. But this capital punishment, this death sentence is calculated murder and cold-blooded murder in a way. You fix the date and tell the person and then hang him. How is this permissible? If it is a crime, it is a crme. Crime is not to be replied by crime. That is my point. I cannot understand that. (*Interruption*). Stealing is a crime; but is steling to be replied by stealing just because it has got a legal order there? This hanging may be a legal murder; but murder is murder. That is my point. Prostitution is a crime, not to be replied by prostitution with a legal order. The basis of our jurisprudence has changed a lot. The basis of jurisprudence for retaining capital punishment is tooth for tooth and eye for eye. It must be changed. It is most inhuman.

I have got my own experience.

An Hon. Member: Of murder?

Shri Umanath: No. In 1947 I was with a condemned prisoner who was to be executed. I saw the thing with my own eyes. did not see any justification for that. In 1947 I had escaped from the Coimbatore Central jail. After three years I was arrested again. I was placed in a cell, that is in 1950—where prisoners who were condemned to die were kept. I saw the most tortuous process. I do not understand the purpose. If he is to be executed tomorrow morning, the previous evening he is informed: 'tomorrow morning at 6 'clock you will be hanged'. This is the first torture bestowed on him. Then his entire family is brought there, even the youngest of the kids is made to weep there. Imagine the scene. The next morning, the father who is alive now, is going to be murdered, maybe, by a legal process. Then there is the remaining 12 hours of the night; that kills him hour by hour. In the last half an hour he is killed minute by minute. I have seen this. The law abolishes even whipping because it is inhuman. If that is so, how can murder be permitted legally? I do not understand the logic.

It has been said that it is meant for reformation. If a person is going to be killed, where is the reformation? It is most unjust. Very many people who had been condemned to death have reformed themselves. If they had been sentenced to life imprisonment, after coming out they would have become very fine persons and would dare not even touch another person. And retention of capital punishment leads to hanging of such reformed persons.

Then it is said that it acts as a deterrent on society. How is it a deterrent? The British Government tried it for the past 150 or even 200 years in our country. I do not want to go to Holland or Britain; I will come to my country. Now, was it a deterrent on our society? From 1947 we have been free and we have been trying it. Has it been a deterrent on

the social evil? It is not. Some friends say that it is an illness. But instead of killing the illness, you are killing the patient. So, it is neither a deterrent nor does it reform a person. So, what is the purpose? It can be used by a majority ruling party to smother the opposition. I will give you an illustration. In Mehboob Nagar district in Andhra Pradesh, eight communists were arrested it is fresh in our minds; it is so recent on the charge that one Congress worker was murdered. The Magistrate found them guilty and they were committed to session. The police wanted death sentence for these accused. You will be surprised to hear that when the trial was to begin in the sessions court, the Congress worker who was alleged to have been murdered and who was held by the Magistrate to be murdered, was walking alive in the Courtroom. It has happened in our country, not in Holland or Britain. The police did not ferret him out. But we knew that he was alive and we had nothing to do with any murder and we found out his whereabouts in one month and ferreted him out and brought him out. The police with their huge machinery could have done it; but they did not because it is a case of the majority party using Governmental machinery against democratic opposition so that 7 or 8 communists may be killed. I must say that I myself was charged like that. In 1947 there was some strike and some worker died. I had nothing to do with it. I was hauled up under section 302 of the IPC. The police wanted that I must be hanged. It was then that I escaped from the Coimbatore Central Jail. But the evidence went against the police and I had to be acquitted. Again in the case of Vasu Menon, the whole village where the murder took place in Kerala knew that he had nothing to do with it. There was a sentence of death and the Government had to intervene because so many agitations took place. Apart from all that, this principle of tooth for tooth and eye for eye had been rejected by the entire world. It is not having any deterrent effect but a positive evil in that it can be utilised by the ruling party to smother opposition. It is very dangerous. In view of all this, I submit that the capital punishment must be abolished, I wholeheartedly support this Resolution.

Shri Harish Chandra Mathur: Sir, I have hardly a few words to say on this Resolution. I rise to give my full support, moral support to this Bill—It is not a qualified support in any sense,—and the spirit in which this Resolution has been brought forward. I congratulate the hon. Mover of this Resolution for his very informative and illuminating speech. He has laboured on it and the House is wiser for it. My hon. friend from the tribal area made very refreshing observations; we are grateful to him. It was Shri D. C. Sharma who was rather uncharitable.

Now this question is already a world issue and my hon. friend Shri D. C. Sharma himself stated that this question is receiving the attention at the UN level. It has come before this House earlier also. My friend when he quoted what has happened in the various countries did not want to seek the support of these various countries but to indicate the trend of thinking.

We cannot of course accept the Resolution as it stands in very sweeping terms, as has been stated. The alternative suggested was to refer it to the various committees. I do not think there is any justification for setting up any committee when we have got the Law Commission. They should go into this entire matter and collect evidence. Meanwhile, as we know, there is the world study which is being made in the UN. It is not as if we should only wait for the world study. So, the proper thing to do is to remit this matter to the Law Commission which is already in existence so that they may look into it so that when the UN study is available, the Law Commission would be able to submit its report to the House and the House can take the whole matter

[Shri Harish Chandra Mathur]

into consideration. Let us have the matter examined in the context of our country. There are on average 10,000 murders in this country every year. It is a serious matter. So, we have to examine them in certain broad contexts. Even if we want to abolish capital punishment for certain matters, we may have to retain it in certain exceptional circumstances. Therefore, I feel called upon to move this amendment to the Resolution:

> "That this matter may be referred to the Law Commission".

I do not think that the hon. Home Minister could have any objection in accepting this modification. Without further going into the merits or elaborating upon the subject, I express my deep gratitude to the hon. Member who moved this Resolution and I feel that my amendment should be acceptable to him and also to the Government. The matter should be examined and after a certain study this House might again be able to consider it.

Shri Nambiar: Mr. Chairman, Sir, I have great pleasure in supporting the motion moved by my hon. friend on the other side. I would like to refresh the memories of lawyer Members and others by reading section 302 of the IPC, which says as under:

> "Whoever commits murder shall be punished with death, or transportation for life, and shall also be liable to fine."

The very wording of the section is such that any judge, who tries a case, is goaded or guided by the wording: "shall be punished with death." Even granting that he finds that he can give some consideration to the accused, he feels that the best punishment or the highest punishment to be given must be death. He is inclined to give that punishment. It may be that every section may be so, but here it has got this specific, underlying meaning.

I have heard of many cases. I had occasion to go through judgments on many cases wherein the judge expressed their excuse and said, "we have no go but to order that the person be beheaded." Therefore, that tendency is created in the minds of the juriciary. So, you cannot offer an excuse by saying that there is also a provision to give the accused transportation for life, and that he need not be hanged. Of course, those who are not completely proved to be guilty can escape the gallows. But that does not take place generally, and almost all judges, when they get any opportunity, award this sentence of death. So, unless this is removed from the statute and another provision is made, things will not improve.

I am not mentioning any case wherein a wrong accused is hanged, that is, the accused is hanged wrongly. I am talking of cases of persons who are actually committing the murder. Even in the case of murder, there are instances given where in the person could murder in self-defence. There are murders committed in a moment of excitement; emotion or in self-defence. A man may commit such a murder. Shri Jaipal Singh mentioned certain circumstances in which he himself may commit murder. I understand such circumstances. So, the question of murder as such has got various and wide meanings. Any murder cannot be treated as a heinous crime. In certain cases, murder is a very commendable act, namely, in defence of the honour of a lady, in defence of the life of a girl, in defence of the life of the nation. If murders for such causes take place, they are comcendable. Therefore you cannot condemn murder by the very word 'murder'

I should like to submit that as a rule we should not go in for capital punishment. We can give that much consideration. Crimes of murder have not decreased by imposing the penalty of the sentence of death. We have seen it. Therefore, give the devil its due, and give the accused another opportunity to refine himself. Our nation will never suffer from

doing so. Of course, political murders and political hanging may come under a separate category. They may say that "this is a political murder and this is a political hanging." They can argue both sides. I am not including that aspect in this item and attempting to create a rigid attitude of mind in the Minister on the other side. That may be considered apart; such things take place very seldom.

My appeal to the hon. Minister on the other side is that he should see if he can allow this to go, as a matter of trial, for a period, and see whether it gives good results or bad results. If he is not prepared to agree to this here and now, as Shri Harish Chandra Mathur suggested, this question may be referred to the Law Commission and some more probe may be had, and then they may agree to it. But the ultimate goal I am expecting is that the capital punishment should be removed.

Shrimati Savitri Nigam (Banda): Mr. Chairman, Sir, this resolution is a very important one as it involves the security of the State and the people on the one side, and the lives and future of many unfortunate people on the other side. While making any observations for or against, we should take every care and we should have so much restraint as not to be guided by our whims, prejudices or conventions. I would request hon. Members not to make it a political issue or to make it a controversial issue. Otherwise we would not be able to do justice either with this legislation or with those unfortunate people whose lives are involved here.

When we want to examine this important law, we must examine it in great detail and in every minute detail and with all possible care and scrutiny of every aspect of it. It is better to find out what are the theories on which the penal system of our country has been based. There are three theories—retribution, reformation and deterrents. As far as deterrents are concerned, this is a very primitive idea and it has been rejected not only by our country but by all other countries; and no legislation whatsoever should be based on this retribution which in a way is revengefulness, tooth for tooth and eye for eye. As far as reformation is concerned, capital punishment has got nothing to do with it. The whole theory or the controversy about capital punishment revolves about the issue of deterrents. Since more than a century and a half this law has been on our statute-book. Year after year, thousands of people have been executed in our country; thousands and thousands of people have been executed up till now.

In this age of advancement, we should have examined this issue long ago. It is most unfortunate that no effort has ever been made to find out whether this law served any purpose, or whether it has got any deterrent effect or any educative value or not. There are many criminologists and penologists in our country, but they have never been asked by the Government to enquire into or at least examine this law as to what impact it makes on criminal psychology. What justification can the Government have in having and applying this law and executing people in the name of the State? This is an outmoded and barbaric law enacted by colonial powers to liquidate their political opponents and disloyal elements a century and a half ago.

Mr. Chairman: The hon. Member has only seven minutes.

Shrimati Savitri Nigam: I have already requested for some time.

Mr. Chairman: We are pressed for time, and so I cannot give the hon. Member more time.

Shrimati Savitri Nigam: I would like to mention a few aspects. The British Royal Commission which had collected and examined all the available data from all the civilised countries has come to the conclusion that

[Shrimati Savitri Nigam]

capital punishment has got no deterrent value. Whether it is abolished or it is retained, it does not make any difference in the number of instances of murder. So has done the Delaware Committee in 1845; the New York Legislation Committee also reported a similar finding; even in 1950, the Minister of Justice in New Zealand was arguing a case in respect of the capital punishment, and he made it clear on pages 44-45 of his document, saying, "let us now come to the conclusion that capital punishment has got no deterrent value whatsoever." Capital punishment is unsound criminologically and penologically and it has no educative or deterrent value. That has been proved not only by eminent expert and penologists, but also by many humanitarian workers. If killing is a bad thing, why should anybody be allowed to kill in the name of the State? I think this law brutalises our penal system and also creates a sort of sadism in our society.

Also many experienced criminal lawyers have stated that capital punishment breeds capital punishment. It is quite surprising that this view has been supported by a number of criminologists that after every sensational execution, there comes a wave of crimes. The members of the Ceylon Commission have also supported this view in para 14, page 65, of their report, *viz.*, that whenever there has been any such execution, there is a wave of crimes of murder.

People often say, especially retentionists, that there are some habitual murderers. It is quite a primitive idea. In this age of advancement, criminals could be reformed very easily and human dignity can be very easily re-established in them. If people had executed Balmiki, we would not have had a great epic like the *Ramayana*, because Balmiki was also a murderer.

There are many possibilities of miscarriage of justice. It has been stated by a number of Members that several people were condemned to death for murder of certain people who later reappeared after a few years. One such case is within my own knowledge. Five labourers were executed for murdering a tea garden-owner, but after the execution, that tea garden-owner appeared. So, we should not keep such a legislation, because so many innocent people's life is at stake.

It is disgusting to see the degree of sadism prevailing in the minds of the retentionists that they want to get rid of the murderers. Some of them have said that it is a very cheap method of disposing of the criminals, but this is a very inhuman approach. It has been very clearly stated in the Ceylon Committee's report—para 2, page 75—that reprieved murderers present no particular problem of law and order and they are very disciplined.

I am sure I have been able to convince this august House and the Ministry about the urgency of abolition of this useless, ineffective and barbaric law, which is not at all in tune with our national and international policy of non-violence.

Dr. L. M. Singhvi: Sir, I must confess I am in considerable sympathy with the hon. mover of the resolution. However, I rise to support not his motion, but my amendment which calls for the appointment of an appropriate commission to go into the question. It was refreshing to hear the hon. Member from Banaras delivering his sermon from Sarnath, and drawing the attention of the House to the burning problem which engages the attention not only of our country, but various countries in the world today.

The suggestion made by one Member that since this is engaging the attention of the United Nations already, there is no need of our going into the question in our country, is without force, because as has been suggested by another Member, we must consider the question in the context of the prob-

lems that confront us in our country. We would indeed be supplementing the work that is being done at the UN level by undertaking the study of this problem.

It is not necessary for me to go in detail to the justification for capital punishment, which has prevailed in society since times immemorial. Originally perhaps retribution was the main motive, but as social institutions crystallised, it assumed a legal form and its main justification remains to be deterrence. We have to consider the efficacy of capital punishment as a deterrent to murders. Opinion on this question is very much divided. There are experts who hold the opinion that there is an element of deterrence in capital punishment, but the difficulty is that while every single murder demonstrates the fact that the theory of deterrence has failed, because it has failed to deter that particular murderer concerned, it is not possible to assess the actual element of deterrence in the number of murders which may have been prevented by the existence of capital punishment.

I have suggested that this question ought to be considered not only from the legal point of view, but also from its sociological, criminological, penological and humanitarian aspects and I am sure that if a proper consideration was given to this question, we would be able to take a lead in the East in abolishing a penalty, which is somewhat inhuman and so irrevocable that it is not possible to remedy it in case there is any miscarriage of justice. We have been told by various people who have commented on the subject that there have been many miscarriages of justice and that therefore, there have ben many unjust executions.

This is a question which merits our earnest consideration. Therefore, I am at one with Shri Mathur and others who have suggested that the question be referred to a commission. I would like to submit that if this punishment is being kept up only for its punintive value or if it is being maintained merely because it is a revenge on behalf of society, it assumes the form of a crime itself. That is why, it has been called by some commentators as judicial killing. We will have to consider as to whether in the psychological and criminal history of man, it is possible to assess the role and efficacy of capital punishment as a deterrent. It is said that premeditated murders are never actually prevented by the operation of capital punishment, because the person who commits a cold calculated murder, counts on escaping detection. There is no question of capital punishment acting as a deterrent so far as impulsive murders are concerned.

Therefore, I am inclined to agree with the guarded conclusion arrived at by the Royal Commission in England that it is wrong to ascribe an exaggerated value to the deterrent effect of capital punishment, but that it would also be equally wrong to wholly discount it. The conditions in our country demand a probe in the context of the problems in our country. Therefore, I rise to plead that the matter deserves our earnest consideration and should be referred to a commission of eminent jurists, penologists and others who may be able to enlighten us further by eliciting and analysing public opinion on the question.

16 hrs.

श्री बड़े : माननीय सभापति महोदय, जब मैं ने मृत्यु दण्ड को समाप्त किया जाये इस विषय पर प्रस्ताव सदन में आने वाला है यह देखा तो मैं ने सोचा कि एक अमेंडमेंट दूं और इस लिये मैं ने एक अमेंडमेंट दिया कि लीगल एक्सपर्ट और पार्लियामेंटरी मेम्बर्स की एक कमेटी या कमीशन नियुक्त की जाये और उस के सुपुर्द यह प्रश्न किया जाय और उस की रिपोर्ट आने के बाद सदन इस विषय में निर्णय ले कि कैपिटल पनिशमेंट रखी जाये या न रखी जाये ।

यह जो पीनल कोड की धारा ३०२ में कैपिटल पनिशमेंट की सजा दी गयी है वह

[श्री बड़े]

उस प्रमिटिव कल्पना के आधार पर है कि आई फार आई और टुथ फार टुथ। लेकिन इस कानून में बारीक भेद कर दिये गये हैं और उस में कल्पेबिल होमिसाइड नोट एमाउंटिंग टु मर्डर भी रखा गया है और जब यह प्रश्न होता है कि किसी ने सैल्फ डिफेंस में मर्डर किया है या प्रोवोकेशन में तो उसे सजा नहीं दी जाती। एक और हालत में मर्डर होता है जैसे कि किसी भाई पर अगर कोई अत्याचार करता है उस के बचाव के लिये अगर मर्डर किया जाय तो उस में भी उस मारने वाले को सजा नहीं होती। तो इस तरह का विधान (पीनल कोड) ब्रिटिश राज्य के वक्त से चला आता है। हम को स्वतन्त्र हुए १४ साल हो गये लेकिन हम ने उस में कोई परिवर्तन नहीं किया है और न उस में कोई संशोधन किया है।

अभी यहां पर कई उदाहरण दिये गये वह ऐसे हैं जिस में कि ऐसा हो जाता है कि गलतीसे फांसी की सजा दे दी जाती है। जिस क्षेत्र से मैं आता हूं वह आदिवासी क्षेत्र है। वहां करीब करीब तीन लाख आदिवासी रहते हैं। वहां पर अक्सर औरत और जमीन पर खून होते हैं। मैं एक बार एक अभियुक्त, से जेल में मिलने गया और मैं ने उस से कहा कि मुझे तुम्हारे लोगों ने वकील किया है। उस ने कहा कि जिस आदमी को मैं ने मारा है वह मेरी पत्नी के साथ मेरे घर में नाजायज सम्बन्ध कर रहा था। इसलिये मैं ने उस की प्राकृतिक चिकित्सा कर दी, अब आप कानूनी चिकित्सा कर दीजिये। उस ने यह अपनी भाषा में कहा। उस ने कहा कि मेरा यह खून माफ होना चाहिये। उस ने कहा कि अगर मेरे पास पैसा होता तो मैं एक हाथ में हुंडी और दूसरे हाथ में मुंडी पुलिस में ले कर जाता और छूट जाता। मैं ने देखा है कि अभी देहाती क्षेत्रों में पुलिस का स्तर ऊंचा नहीं है और ऐसा प्राय देखा जाता है कि जब एकआदिवासी खून करता है और एक हाथ में हुंडी और दूसरे में मुंडी ले कर पुलिस के पास जाता है तो छूट जाता है। और अगर उस के पास हुंडी नहीं होती तो निरपराध होते हुए भी उस को सजा मिल जाती है।

दूसरी बात यह है कि कभी कभी किसी आदमी का दिमाग खराब होता है इसलिये वह भी खून कर देता है। जो आदमी गरम होता है उस के दिमाग में कुछ खराबी होती है और वह टैम्पर लूज कर देता है। इसलिये अमरीका में प्रिजन्स को हासपिटल्स में बदल दिया गया है और वहां ऐसे लोगों का इलाज होता है। अगर भारत में भी ऐसा किया जाये कि प्रिजन्स को हासपिटल्स में टर्न कर दिया जाये तो कम से कम आदिवासियों का बड़ा हित हो। बहुत दफा यह होता है कि जब वे खून करते हैं तो उन का दिमाग खराब रहता है। उन का दिमाग इतना डेवल्पड नहीं होता है। उन में थोड़ी इनसैनिटी रहती है।

श्री जयपाल सिंह : चेयरमैन साहब, मैं यह बात मानने को तैयार नहीं हूं।

Shri P. R. Patel: *It is a general* statement affecting you even.

श्री बड़े : बहुत से केसेज ऐसे होते हैं। मैं ने बहुत से खून के केसेज डील किये हैं और मैं ने पाया हैं कि एक प्रकार की इनसैनिटी की हालत में वे खून कर देते हैं। और पीछे पछताते है। ये लोग बड़े डेयरिंग होते हैं। अगर इन का अच्छा इलाज किया जाये तो ये अच्छे नागरिक बन सकते हैं।

लेकिन अब विचार करना है कि क्या आज ही फांसी की सजा रद्द की जाये। यदि अपराधियों को आज फांसी की सजा नहीं देते हैं तो उन को कितने दिन तक जेल में रखा जाये यह सवाल है। फिर जेल कैसी होनी चाहिये। यह सब विचार करना होगा। तो इन सब चीजों का अध्ययन करने के लिये ही मैं ने अमेंडमेंट दिया था कि एक कमिशन नियुक्त किया जाय जिस में कुछ लीगल एक्सपर्टस हों और कुछ पार्लियामेंट के सदस्य हों।

कुछ माननीय सदस्यों ने सुझाव दिया है यह मामला ला कमीशन को सौंप दिया जाय। लेकिन लोक सभा के मेम्बर्स तो केवल मास्टर्स आफ ला होंगे और इस प्रश्न पर पूरी तरह विचार करने के लिये मास्टर्स आफ ला के साथ साथ मास्टर्स आफ फैक्ट्स भी होने चाहियें। ये मास्टर्स आफ फैक्ट्स पार्लियामेंट के सदस्य हो सकते हैं। इस वास्ते मैं ने अमेंडमेंट दिया है कि उस कमीशन में दोनों प्रकार के व्यक्ति रखे जायें। ताकि इस प्रश्न पर उचित रूप से विचार हो सके।

अभी एक माननीय सदस्य ने कहा कि खून तो मन करता है देह नहीं करती। इसी प्रकार एक दफा एक आदिवासी ने भी कहा था कि देवता ने मुझे आदेश दिया इसलिये मैं ने खून कर दिया। इस पर मजिस्ट्रेट ने भी कहा कि मैं भी देवता के आदेश पर तुझे फांसी पर लटकाने का हुक्म देता हूं। माननीय सदस्य को जानना चाहिये कि मन और बाडी का सम्बन्ध है। जो मन कहता है वही बाडी करता है। इसलिये जिस बाडी में ऐसा मन रहता है उस को खत्म करने का विधान यूरिसप्रूडेंस में है। मन करता है और बाडी नहीं करती। ऐसा नहीं होता।

कुछ माननीय सदस्य कहते हैं कि जो माइंड इतना खराब है उस को रखने वाले को फांसी पर लटका देना चाहिये। लेकिन इन सब बातों का विचार करना चाहिये। अगर फांसी पर न लटकाया जाय तो उस को कितने दिन जेल में रखा जाये, उस का क्या इलाज किया जाये, इस के बारे में विचार करना होगा। जल्दबाजी करने की जरूरत नहीं। इसीलिये मैं ने कमीशन बनाने का अमेंडमेंट दिया है।

श्री बाल कृष्ण सिंह : सभापति महोदय, मैं ने एक अमेंडमेंट हाउस के सामने रखा है। मैं मृत्यु दण्ड को समाप्त करने का पक्षपाती हूं। प्रस्तावक महोदय के साथ मेरी पूरी सहानुभूति है। लेकिन मैं चाहता हूं कि इसको समाप्त करने के पहले एक कमेटी बनायी जाये। इस बात की जांच करे कि यदि मृत्यु दंड समाप्त कर दिया जाता है तो उस का क्या परिणाम होगा। इस विषय में किसी निर्णय पर पहुंचने के लिये यह जरूरी है कि इस के हर पहलू पर ध्यान दे दिया जाय। इसीलिये मैं ने अपना संशोधन प्रस्तुत किया है।

Shri Khadilkar (Khed): Mr. Chairman, Sir, I welcome the move made by my hon. friend Shri Raghunath Singh which has in a way started a national movement for abolition of capital punishment as it was done in other countries. But I am afraid, though I welcome the move to direct the attention of the people towards this question, whether the remedy suggested in the present context would be appropriate or not must be carefully considered.

The hon. lady Member referred to Ceylon. But she is ignorant perhaps of the recent developments there. In Ceylon, hasty steps were taken to abolish capital punishment, and recently there is a move to revive it.

Sir, we should bear this in mind before taking any hasty steps in bringing about certain reforms of this nature. In our society, as elsewhere, there are two types of attitudes. One is, man is considered incorrigibly sinful, and the other is that man is a potential saint. But these two attitudes apart, in a modern State where we have to remove certain causes leading to violence sometimes resulting in murder, we have got to direct our attention to the curative and corrective attitude of punishment everywhere.

From this point of view, I would like to refer, as other hon. Members have already referred, to the efforts made in Britain.

For instance, there was the Royal Commission and the very first observation of the Report of that Commis-

[Shri Khadilkar]

sion I would like to quote here. It says:

> "The outstanding defect of the law of murder is that it provides a single punishment for a crime widely varying in culpability."

This was the first finding. Another hon. Member has summed up the findings of that Royal Commission. When there was a free vote in the House of Commons in 1956, they carried out unanimously a motion to the effect that death penalty is no longer in consonance with the true interests of a civilised society. Later on, if we go through the Royal Commission's Report, we find that the Royal Commission has examined this report problem from all aspects.

Shri Shree Narayan Das: Their terms of reference was limited.

Shri Khadilkar: I know. Even then, they have found it extremely difficult to justify it, as has already been stated in the very first finding. Mr. Gerald Gardiner, QC, has stated certain difficulties and for enlightening the House I would just quote a small portion from it. He has stated:

> "If a man kills his wife with the nearest weapon to hand, and if this is a gun, he commits capital murder; but if the nearest weapon to hand is a hatchet, it is non-capital murder."

In the present penal system of theirs regarding capital punishment they have made a distinction between capital murder and non-capital murder. Then he gives another instance:

> "If a man rapes a girl, strangles her and takes her handbag, this is in practice capital murder; if he does not take the handbag, it is not."

And there is a third one which is also very revealing and sheds some light on the thinking of British jurists.

> "If a man deliberately poisons another in order to obtain money under his will, this is non-capital murder. If a young man of hitherto exemplary character breaks into a shop and on being surprised by the occupant, panics and strikes him with his hand blows which (as in the Vickers case) are described by the Crown pathologist as 'moderate to slight', and the shopkeeper falls and fractures his skull, this is capital murder."

I am quoting these instances because they have been quoted in the recent Royal Commission Report. But the main question is this. As Shri Mathur has suggested, this question needs to be thoroughly investigated and I would certainly welcome it if the hon. Minister accepts the suggestion of my hon. friend, Shri Mathur, to refer this problem to the Law Commission.

But if at all some reform is to be brought about immediately and some advance is to be made we, must direct our attention in a different way. I would suggest that the method of reprieve should be liberalised further still. Here I would like to mention an incident which came to my notice. The Governor of a State reported to me about certain cases that went to him for clemency. As he had leisure, he went through the records and made his own recommendations. But his observation was that in India today there are more judicial murders committed in the name of justice because the poorer sections of society, where violence prevails and many murders take place, do not usually have enough legal protection, because they cannot afford to have the legal facilities by engaging eminent lawyers as they have not enough money for that. Therefore, I am of the opinion that before handing a man, before sending him to the gallows, care should be taken to see whether all the legal help was made available to him. Also, a certain judicial discretion should be exercised. People coming from the upper strata have

the means. They go from one court to another up to the Supreme Court. They have pulls at the higher rungs of the political circles and, therefore, they easily get reprieve which a poor man is usually denied. Therefore, I would like to lay more emphasis on this point without which advance in this direction is not possible.

I will make one or two small suggestions before I conclude. Examples of other countries have been given. It is the almost universal conclusion that the capital punishment is not a sufficient deterrent. I would like to have a factual report from the Home Minister every year as to how many death sentences were awarded, what was the background and why the reprieve was ultimately rejected and the poor person was ultimately hanged. This will show the state of affairs in our country and the House will get an opportunity to judge for itself in what sections of the society murders are quite common because of certain background and violence is reported to and whether they get adequate legal protection or not.

There is another aspect which has to be considered in our society which is in a transitional stage. There is a tendency to organise crime and you will find from State to State a certain section is taking to organised crime and murder. I do not think we can make any social progress unless it is dealt with properly.

One more crime which I must bring to your notice and which deserves, in my opinion, capital punishment is the adulteration of food and durg which is taking place all over the country. This is a heinous anti-social act. If a preson in a violent mood commits murder, one can understand it, for there are certain other considerations, certain temperamental or mental attitudes to be taken into account. In our country adulteration of food and drug is the most anti-social act, and if we allow it to go on by imposing only some minor punishment, I think we are not using all the weapons in our hand to suppress it. Therefore, so far as such anti-social acts are concerned, I would appeal to the Home Minister that capital punishment must be provided for in our present context that is the only way in which it can be put a stop to.

Shri Ansar Harvani (Bisauli): More capital punishment?

Shri Khadilkar: We should not be hasty to abolish this. As I said, it must be referred to the Law Commission. Otherwise, we will be doing what was done in Ceylon—acting in haste and repenting immediately afterwards at leisure.

श्री योगेन्द्र झा (मधुबनी) : प्रस्तावक महोदय के प्रस्ताव में प्राण दंड की सजा को उठाने की बात कही गई है । इस सदन में और इस सदन के बाहर भी कुछ लोगों को ऐसा समझ में आता है कि अगर यह प्राण दंड की सजा उठा दी गई तो कहीं आज ही या कल ही उस की हत्या की बारी न आ जाये । प्राण दंड की सजा को बनाये रखने के उन समर्थकों से मैं यह जानना चाहूंगा कि क्या किसी एक व्यक्ति को भी यह गारंटी दी जा सकती है कि चूंकि इस देश में प्राण दंड की सजा की व्यवस्था है इसलिये उस की हत्या नहीं की जायेगी । क्या कोई भविष्य में ऐसा दिन आने वाला है जिस दिन तक इस बात की पूरी गारंटी दी जा सकेगी कि चूंकि इस देश मे कैपिटल पनिशमेंट है, प्राण दण्ड की सजा की व्यवस्था है इस लये किसी भी व्यक्ति की हत्या नहीं हो सकेगी ? अध्यक्ष महोदय, मेरा कहना है कि ऐसी गारण्टी नहीं दी जा सकती है ।

प्राण दण्ड की सजा सभ्यता तथा मानवता के ऊपर एक कलंक कालिमा है । दयाहीन न्याय का नाम ही फांसी की सजा है । न्याय का उद्देश्य बदला नहीं हो सकता है । हत्या के बदले हत्या ऐसा कोई उद्देश्य न्याय का नहीं है । न्याय का उद्देश्य कल्याण एवं शान्ति है । इस की तह में जाने की जरूरत है ।

न्याय, व्यावहारिकता तथा मानवीयता, इन तीनों दृष्टियों से इस सजा का उन्मूलन

[श्री योगेन्द्र झा]

कर देना चाहिये और मैं आशा करता हूं कि यह सदन इन तीनों दृष्टियों से विचार कर के इस संकल्प के पक्ष में अपना मत देगा ।

सर्व-प्रथम इस प्रश्न को न्याय की कसौटी पर ही परखिये । हम अपूर्ण हैं और इसलिये हमारी न्याय-शक्ति और न्याय प्रणाली अवश्य ही अपूर्ण रहेगी । अपूर्ण मानव की बुद्धि से पूर्ण न्याय-प्रणाली की निष्पत्ति कभी सम्भव नहीं है । किसी की हत्या कर के ही दूसरे के साथ न्याय किया जा सकता है, इस आधार पर प्राण-दण्ड की व्यवस्था का समर्थन नहीं किया जा सकता है ।

इस प्रश्न का व्यावहारिक पहलू सर्वाधिक महत्वपूर्ण है । व्यावहारिकता की कसौटी पर देखने से भी इस सजा की कोई आवश्यकता महसूस नहीं होती । कहा जा सकता है कि प्राण-दण्ड की सजा के डर से संगीन जुर्म करने वालों को डर होता है और जुर्म करने में रुकावट पैदा होती है । लेकिन ऐसे संगीन जुर्म लोग मानसिक उन्माद की अवस्था मे करते हैं—वह उन्माद चाहे धार्मिक हो, प्रतिशोध की भावना हो और चाहे सांसारिक ठोकरों की प्रतिक्रिया हो, कोई भी कारण हों, मानसिक उन्माद की अवस्था में ही लोग ऐसे संगीन जुर्म करते है और उस अवस्था में कानून का डर किसी व्यक्ति को जघन्य अपराध करने से रोक नहीं सकता है ।

अगर संहार को देख कर लोग संहार करने से बाज आते, तो मैं कहना चाहता हूं कि नागासाकी और हिरोशिमा की संहार-लीला को देखने के बाद संसार में दूसरे अणु-बम का निर्माण नहीं होता । मैं यह भी कहना चाहता हूं कि अगर मौत के डर से किसी की हत्या न की जाती, तो हमारे राष्ट्र-पिता बापू की हत्या न होती, बर्मा, लंका, तथा पाकिस्तान के प्रधान मंत्री क्रमशः श्री आंग सान, श्री भंडारनायक और श्री लियाकत अली की हत्या न होती । सैकड़ों उदाहरण दे कर यह प्रमाणित किया जा सकता है कि मौत के डर से कभी भी हत्या को नहीं रोका जा सकता है ।

इस समस्या को हमें एक सामाजिक दोष के रूप में देखना चाहिये । जिस तरह गन्दगी पर कीड़े पैदा होते हैं, उसी तरह सामाजिक अन्याय के कारण ये हत्यायें होती हैं और अगर उन को रोकना है, तो सामाजिक अन्याय, अशिक्षा, गरीबी, भुखमरी, नंगापन, इन सारे सामाजिक दोषों को दूर करना होगा । इन सामाजिक अन्यायों को दूर किये बिना हत्या आदि जघन्य अपराधों को नहीं रोका जा सकता है ।

आवेश के वेग में, प्रतिक्रिया के प्रवाह में और प्रतिशोध की ज्वाला में मनुष्य हत्या करने पर उतारू होता है । अगर प्राण-दण्ड में कोई डेटेरेन्ट, रुकावट की भावना होती, तो फिर आज आत्म-हत्यायें क्यों बढ़ रही हैं । कौन जीना नहीं चाहता ? जीने की चाह बड़ी प्रबल होती है । कौन सही सोचित बुद्धि वाला आदमी यह कहेगा कि उस को आत्म-हत्या का डर नहीं होता । फिर भी आत्म-हत्या की घटनायें बढ़ रही हैं । इसलिये मेरा यह निवेदन है कि हत्या करने या मरने के मार्ग में डर कोई रुकावट नहीं है ।

आज संसार भर में यह शोर मचा हुआ है कि आणविक अस्त्रों का लोप हो । रूस और अमरीका यह तर्क उपस्थित करते हैं कि हम संहारक शस्त्रों का निर्माण इसलिये करते हैं कि उन के डर से संसार में युद्ध न हो । कम से कम भारत ने इस तर्क को मिथ्यावाद कहा है । सम्भव है कि कुछ ऐसे लोग हों जो इस तर्क के पक्ष में हों, लेकिन वे खुले आम इस का समर्थन नहीं करते हैं । मेरे कहने का तात्पर्य यह है कि हिन्दुस्तान ने इस तर्क को नहीं माना है कि डर से कोई रुकावट पैदा होती है और लोग पाप करने से बाज आ सकते हैं । जिस तरह अस्त्रों में हम सीमा बांधना चाहते

हैं, मैं चाहता हूं कि सजा में भी एक सीमा हो। मृत्यु दण्ड की सजा पर रोक हो ।

श्रीमन्, मैं जो यह बात कह रहा हूं, वह हिन्दुस्तान के लिये कोई नई बात नहीं है। हमारे यहां पहले ब्राह्मणों को अवध्य समझा जाता था । जैसा भी अपराध हो, ब्राह्मणों को फांसी—प्राणदण्ड—की सजा नहीं होती थी । मैं चाहता हूं कि जो सम्मान उन को ब्राह्मण होने की हैसियत से प्राप्त था, वही सम्मान एक मनुष्य की हैसियत से सारे मनुष्यों को उपलब्ध हो ।

इन शब्दों के साथ मैं कैपिटल पनिशमेंट का सर्वांश विरोध करता हूं और इस व्यवस्था का उन्मूलन चाहता हूं । बुद्ध और महात्मा गांधी के नाम पर इस करुणामयी भारत-भूमि में इसे क्रूर सजा का अन्त हो यह मेरा अन्तिम निवेदन है ।

Some Hon. Members *rose*—

Mr. Chairman: I am sorry. We are pressed for time.

Shri Shyamlal Saraf: Those of us who were going to oppose this Resolution could not get any time.

Mr. Chairman: I am sorry. The hon. Minister.

The Minister of State in the Ministry of Home Affairs (Shri Datar): Mr. Chairman, Sir, I was very happy to find that in the course of the debate the matter was discussed from all points of view including the realistic conditions obtaining in India. I was in particular happy to find that my hon. friends, Shri D. C. Sharma and Shri Khadilkar, dealt with certain aspects of this matter that require a close scrutiny. We have to take into acccount the conditions in India and therefore it would not be proper to unsettle the law specially when it has been fraught with serious consequences.

Before I deal with the various points I would like to assure the hon. Mover of the Resolution as also the hon. Movers of the various amendments that a copy of the discussion that has taken place in this House today will be forwarded to the Law Commission that is now seized of the question of examining the Code of Criminal Procedure and the Indian Penal Code with a view to consider as to whether any changes are necessary therein.

This assurance will, I am confident, satisfy those hon. Members who either desire that there ought to be a commission or a committee or who desire specifically that this question should be referred to the Law Commission.

Shri Raghunath Singh: Will the Law Commission submit a report to the House also?

Shri Datar: The Law Commission's report will be placed before the House. The hon. Member should know that.

Shri Raghunath Singh: On this specific point?

Shri Datar: Whenever there are any reports by the Law Commission they are always placed on the Table of the House and may I point out to the hon. Member that ultimately whatever recommendations they make have to be placed before this House, if accepted by Government, in the form of Bills. Apart from this the whole report including the recommendations will be before the hon. House for its full consideration.

Shri D. C. Sharma: I would request you very humbly that you should not ask the hon. Member to withdraw the Resolution because he has taken a lot of pains over it.

Shri Datar: If I satisfy the hon. Mover of the Resolution as well as the hon. Movers of the amendments, why should my hon. friend come in the way of myself and my hon. friends?

I should point out that there is some difficulty in accepting the Resolution.

Dr. M. S. Aney (Nagpur): May I ask whether the terms of reference of the Law Commission will contain a categorical reference to this question also?

Shri Datar: What I would point out to the hon. Member here is that the Law Commission themselves are now examining the question as to whether and, if so, to what extent any changes in the Criminal Procedure Code and the Indian Penal Code are required. They are already seized of this matter. If that is so, naturally they are entitled to consider the question of capital punishment which has been provided for in the Indian Penal Code. Under these circumstances, there is no question of making a specific reference except to this extent that I am prepared to assure the House that a summary of this debate will be forwarded to the Law Commission for their full and unfettered consideration.

Shri Raghunath Singh: That is a quite different thing.

Shri Datar: I was just going to explain. . . .

Shri Raghunath Singh: I am not going to withdraw it.

Shri Datar ..... that they will consider the whole question including this question in as free and unfettered a manner as possible.

I shall also point out my difficulty in accepting hon. Member, Shri Mathur's amendment as it is. If that amendment is accepted, it would mean that this House, at least by implication, is in favour of making any changes in the law. What I desire is that the Law Commission's hands should be absolutely free and unfettered, and that is the reason why I have assured the hon. House that a summary of this debate would be sent to the Law Commission.

Shri Raghunath Singh: That will already be published in the newspapers and they will read it. There is no need to send them the debates.

Shri Datar: The hon. Member will please understand that there is a difference in its going to the Law Commission as from this House. That should be noted.

I would now proceed to point out certain salient features of the Resolution on merits. While dealing with this question a number of hon. Members brought in certain considerations which are true in principle or in theory. The question of the sanctity of life was brought forward. But may I submit in answer, in all humility, that in all those cases where the capital punishement has been imposed by the courts of law, it has also to be understood that the sanctity of human life has been trampled under the foot by the accused who becomes a convict on conviction? Now, there are two questions which have to be taken into account. One is the security of the society, and the other the security of the individual liberty of every person. If these two are taken into account they are entitled to a certain amount of consideration as against what we have to do when the accused is taken through the whole course of a judicial proceeding; and then only, in exceptional cases, is the capital punishment imposed upon the person.

May I point out here that we have already made some changes so far as the imposition of the capital punishment is concerned? This hon. House

passed in 1955 a law dealing with an amendment of the Criminal Procedure Code. Formerly, from the time the Criminal Procedure Code was introduced in India, whenever an accused was convicted of an offence for which the sentence of death had to be passed, it was laid down in the former Criminal Procedure Code, un-amended before 1955, that in case after such a conviction the judge wants to give a smaller or a reduced punishment, he had to give reasons for so doing. Now, this provision has been taken away by the Criminal Procedure Code Amending Bill in 1956. Now it is left to the unfettered discretion of the Sessions Judge to consider whether that penalty should at all be imposed on the person.

Dr. L. M. Singhvi: It is the Indian Penal Code, not the Criminal Procedure Code.

Shri Datar: It is under the Criminal Procedure Code, let the hon. Member understand, where the reasons have to be given. The Indian Penal Code prescribes the punishment.

Formerly it was provided that whenever an accused person was convicted of murder, capital punishment was the rule and a reduced punishment was the exception. Now that provision has been taken away. Now it is open to the judge, even without giving reasons, to give the reduced punishment instead of imposing the highest penalty under the law. This has already been done.

Then, a number of hon. Members made a reference to the conditions obtaining in Europe, U.S.A. and other countries. But one fact might be noted. I have got with me here the incidence of murder in some of these countries. There I find in two or three countries that at the time when the capital punishment was going to be abolished, the incidence of murder per one million of population was extremely small. In one case it was 1 per million; in another case 2 per million. And in the United Kingdom you will find that it was 3:6 per million. It was on account of this circumstance that the murders there were not so many as, unfortunately, we are having in India . . .

Mr. Chairman: What is the percentage here?

Shri Datar: I have got here figures about the incidence of murders in India per million. From 1928 down to 1961 I have got with me the proportion of murders per one million of the population. There you will find that in 1953 it was 27·1, then 26·9—these small changes need not be noted—and now it is 30·6 per million. As against 3:6 in England and 1 point something in Switzerland or the Netherlands to which an hon. Member made a reference, we have got such a large percentage of murders. This has to be taken into account.

Shri Harish Chandra Mathur: So capital punishment is of no avail.

Shrimati Savitri Nigam: It has made no difference.

Shri Datar: That is entirely a wrong view to take. Let the argument be understood properly. In those two countries, namely Sweden and Norway where they were going to consider this question, they found that the incidence of murder per million was low.

Shri Harish Chandra Mathur: It is irrelevant.

Shri Datar: Still they considered that it would be risky to abolish the death sentence. But so far as India is concerned, we have to take into account the conditions here. The hon. the lady Member will understand that if, for example, this capital punishment is removed, the percentage will go up. That aspect of the matter should also be noted.

Shrimati Savitri Nigam: It has not happened in the case of the other countries.

Shri Datar: You have to understand what the population was in 1953 and what it is in 1961. Therefore, roughly we shall say that it is about 27 per million. So for every million of the population we have got 27 murders committed in India. So in the whole of India you will find that the number of murders committed is between nine thousand and ten thousand. Out of these nine to ten thousand, the matter is taken to court and then about 3,800 people are convicted—I am giving the figures in a broad way—and in all these cases you will find it is not necessary that they should be sentenced to capital punishment. It might be culpable homicide not amounting to murder. In some cases it might also happen that they might be given reduced punishment. So, what it boils down to in the realities of the situation is that only in about three hundred to four hundred cases is the capital punishment imposed upon these people.

Out of this four hundred, you will find that under the Constitution it is open to the Governor also to exercise his power of pardon, reprieve or even commutation. A small number of cases are commuted by him, and then the matter comes to the President. And the President also has the discretion under the law to commute in proper cases.

So far as the remedy provided for by the law is concerned our law is very clear. When a sentence of capital punishment is imposed, the matter has to go for confirmation to the High Court. And, under certain circumstances, an appeal also to the Supreme Court has been provided for. Then, apart from these remedies provided for by the law, the matter comes to the President and the President considers a number of circumstances which are knowns as extenuating circumstances. I may point out some circumstances to the House as to where the President can exercise his jurisdiction of commuting the sentence—even apart from mental derangement. If there is mental derangement, then naturally the Indian Penal Code has provided an exception. But there might be cases when the act is done on account of a sudden rise of emotion, on account of certain provocation. There might be lack of premeditation. Or the age is also taken into account. If, for example, a man has not attained complete maturity of understanding, if, under provocation, he commits a murder, then, it is open to the President to grant commutation to him, to save him from the gallows. Similarly, also, when women are involved in such cases, unfortunately, as murderers, generally, we use our discretion for saving them from the gallows. There are other cases also. Where, on account of a sudden rise of emotion, on account of want of premeditation, a murder is committed, the President has the discretion of saving them from the gallows. I was pointing out to you that in 1961, only 261 cases came to the President. We can suppose that in about 40 or 50 cases, the Governor had exercised his right of commuting the sentences, you will find that about 350 are the only cases in which capital punishment is imposed by the courts as against about 3800 total number of cases in which there is conviction in respect of murder. You will find that the matter is not so bad as some hon. Members have pictured. We have to take into account the whole position and if you will agree, here, in India, unfortunately, there are certain anti-social elements who are not prepared to look to the interests of society as a whole, to the interests of the security of individual freedom as a whole, and the law has to come forward.

Reference was made to certain foreign countries. May I point out that in respect of the United States of America, there were about 9 States out of 49, if I mistake no where capital punishment has been removed, but has been re-introduced.

Shri Raghunath Singh: Only four, not eight.

Shri Datar: I am not going to dispute him at this stage. At least there

are some cases. In the continent also, there are some countries where it had been re-introduced. Instance was given of Ceylon. The hon. Lady Member made reference to an earlier report. Capital punishment which had been abolished in Ceylon has been re-introduced in Ceylon, let the hon. Lady Member remember.

Shrimati Savitri Nigam: Because of political reasons, it has been re-introduced.

Shri Datar: In a Part B Indian State, Travancore-Cochin, they had abolished capital punishment. But, within a few years, they had to re-introduce it. Let us take into account the whole picture of society as it is: the vastness of the land, the number of anti-social elements which are carrying on nefarious work.

It is not merely murders that have got the capital punishment. There are offences against the State as well. There are a number of offences where under section 121 for which death has been provided for. It has also been provided for—I am pointing out by way of an instance—where false evidence has been given by a witness and as a result of that evidence, a poor innocent man has been executed. When this comes out, naturally, the false witness himself has to be subjected to the punishment of capital sentence. You will find that there are extreme cases where this punishment has got to be inflicted. Even there, human considerations are taken into account. The Government of India and the State Governments go into all these cases and the slightest evidence of need for human consideration is accepted. Under these circumstances, as my hon. friend Shri Khadilkar rightly put before us, let us not be in a hurry to un-settle the law as it has been used for so many years.

The only question is whether the law has been abused at all. My hon. friend opposite pointed out one case. I do not know the facts of that case and I am not in a position to say what it was. If there is miscarriage of justice in one or two cases, we have got the higher courts to be approached. The President is there; the Governor is there. The whole machinery of the Government would be there to protect the life of a person who is really innocent. Under these circumstnces, let us not be misguided by a single instance, especially when we have got the highest court of the land, namely the Supreme Court, very carefully looking into all such cases. Because, as I pointed out, it is a question of life and death, and we take the utmost care to see that there is no miscarriage of justice. We take the fullest care to see that no man who has got something to be said in his favour, even short of actual innocence, suffers. Because, after all, human nature is there. Sometimes, under a sudden outburst of emotion of impetuosity, a man commits murder and then he repents. In such circumstances, we have got a machine which takes into account all the human elements. Therefore, I am submitting to this House that it would not be proper, it might be hazardous, taking into consideration the conditions in India as they obtain at present, to remove the capital punishment from the statute-book altogether. Even so, I am prepared to admit that I have heard both sides of this very important question. A number of hon. Members have stressed the need for protecting the sanctity of life to the fullest extent. I would add, consistently with the security of society, consistently also with the need to do justice to the man who has been murdered. Let us not forget the murdered man, the aggrieved man. It is true that we have to extend human sympathy to the murderer. But, the case of the murdered man, the case of the aggrieved family should not also be forgotten.

Lastly, I may point out one very important consideration. Oftentimes, it becomes very difficult to lead full evidence, because the parties are not ready and sometimes, as it happens, sympathy goes directly to the family of the murderer instead of to the family of the murdered. I may tell

[Shri Datar.]

you from experience of numerous cases that we have to go through that in cases where a murderer is not properly punished, a series of murders follow. May I point out that in one case—I won't mention the province; there are certain provinces which are known or which are notorious for such murders—in one village, there were murders after murders—six murders in the course of 30 years on account of the same hitch, same feeling of enmity between either two families or two parties. What they do is this. When a murderer is placed before the court and on account of a certain defect in evidence, the man escapes or is given a lighter sentence, if the persons think that they had not got justice according to desire, they take the law into their hands. Let us be careful. In one case, the moment such a person was acquitted by the Sessions Judge because of lack of admissible evidence, I may point out in all humility, the moment he went out, just outside the Sessions Court, he was done to death. These are all things which have to be taken into account. On the one hand, it is absolutely essential to respect sanctity of life.

Shrimati Savitri Nigam: All these arguments prove that capital punishment has not been effective and it should be abolished.

Shri Datar: That means that capital punishment ought to have been given in an earlier case to save 5 or 6 persons. The hon. Lady Member is twisting my argument, without meaning any offence to her, I may submit.

Dr. L. M. Singhvi: The hon. Minister had promised to transmit the record of the proceedings of this House to the Law Commission, but what he has given with one hand, he has taken away with another, by expressing himself strongly against the abolition of capital punishment.

Mr. Chairman: That is also part of the proceedings.

Dr. L. M. Singhvi: Are we to understand that that is the position of the Government?

Shri Datar: The hon. Member had his full say earlier.

Now, I would submit that it would be hazardous to take away from the statute-book the punishment of death sentence. That has to be maintained in exceptional cases. I have already pointed out how there have been correctives which have been fully provided for in the Constitution.

I have also pointed out that the full debate in this House has been duly noted by Government, and Government would send the full record of this debate to the Law Commission in order to enable them to consider the whole question, as they are already seized of this matter, and their recommendations—whatever they are—whenever they come, will naturally be before this House.

श्री रघुनाथ सिंह : सभापति महोदय, मैं उन माननीय सदस्यों को धन्यवाद देता हूं जिन्होंने इसे संकल्प का समर्थन किया है । श्री माथुर का जो संशोधन है उस को मैं स्वीकार करता हूं क्योंकि वह स्वीकार करने के योग्य है । मैं देखता हूं कि सारे सेदन की यह इच्छा है कि यह मामला ला कमीशन को दिया जाय और उन की इस पर राय जानी जाये । श्री दातार ने कहा है कि वे इन सब प्रश्नों को ला कमीशन के सामने भेज रहे हैं । यह बड़ा उचित काम है । यह मृत्यु दंड को हटाने का सवाल है और चूंकि यह तृतीय लोक सभा का पहला दिन है इसलिये उचित है कि हम इस की शुरुआत शान्ति और अहिंसा से करें । मुझे आशा है कि जैसा कि श्री दातार ने आश्वासन दिया है, जब ला कमीशन इस पर अपनी राय दे देगी तो उसको इस सदन के सामने रखा जायेगा क्योंकि यह सांविधिक बाडी है और हम विचार करेंगे कि हमें उस राय को स्वीकार करना चाहिये या नहीं ।

इन शब्दों के साथ चूंकि आप ने आश्वासन दिया है कि ला कमीशन के सम्मुख इस को भेजने जा रहे हैं, मैं अपने संकल्प वापस लेने की अनुमति चाहता हूं। और आप को इस के लिये धन्यवाद देता हूं कि कम से कम आप ने इतना तो स्वीकार किया कि इस को ला कमीशन के सामने भेजा जाये।

Mr. Chairman: First, the amendments have to be withdrawn.

Amendments Nos. 1, 3, 4 and 5 were, by leave, withdrawn.

The Resolution was also, by leave, withdrawn.

16.53 hrs.

RESOLUTION *RE*: JANATA EXPRESS TRAINS

श्री म० ला० द्विवेदी (हमीरपुर) : सभापति जी, मैं सदन के सम्मुख एक संकल्प प्रस्तुत करना चाहता हूं जो कि इस प्रकार है :—

> "इस सभा की यह राय है कि रेल-गाड़ियों में विशेषत: तीसरे दर्जे के डिब्बों में भीड़ कम करने के लिये सरकार को समस्त तीसरे दर्जे के डिब्बे वाली अधिक एक्सप्रैस गाड़ियां (जनता एक्सप्रैस) चलाने के लिये शीघ्र कार्यवाही करनी चाहिये।"

सभापति जी, आपने देखा कि भारत सरकार के चाहे गृह मंत्री हों अथवा रेलवे मंत्री किसी भी बात को मानने के लिये तैयार नहीं हैं। अभी मृत्यु दण्ड को समाप्त करने का प्रस्ताव उन्होंने अस्वीकार कर दिया। खैर, वह तो दण्ड का सवाल था, लेकिन मैंने जो संकल्प प्रस्तुत किया है उस का सम्बन्ध देश की जनता से है।

इस देश में तीसरे दर्जे के यात्रियों की जो दुर्दशा है उस का अनुमान इस सदन का हर एक सदस्य अच्छी तरह लगा सकता है। मैं तो समझता हूं कि देश भर के लोग इस बात को जानते हैं।

यह संसार परिवर्तनशील है और इस में प्रत्येक चीज बदलती रहती है। हां, समाज में केवल संपेरा नहीं बदला है। उस की आज भी वही वेषभूषा है जो कि किसी जमाने में थी। हर्ष है कि स्वतन्त्रता प्राप्त हो गयी, हम स्वतन्त्र हो गये। हमारा विकास हो रहा है और हम उन्नति कर रहे हैं। लेकिन रेलों में भीड़ की वही दशा है जो कि सन् १९४७ में थी। बल्कि अवस्था खराब ही होती जा रही है।

मर्ज बढ़ता गया, ज्यों ज्यों दवा की।

हम अंग्रेजों की कालकोठरी का जिक्र किया करते हैं कि उन्होंने बड़ी संख्या में लोगों को एक कोठरी में बन्द कर दिया था और उन में से अधिकतर आदमी मर गये थे। लेकिन क्या यह सच नहीं है कि आज हम चलती फिरती कालकोठरियों को देश भर में घुमा रहे हैं। तीसरे दर्जे की गाड़ियों की दशा को आप देखें कि जहां १६ सवारियों के बैठने की जगह है वहां ५० सवारियां बैठती हैं, या घुसती हैं और इस गरमी में अत्यन्त कष्ट के साथ यात्रा करती हैं।

एक माननीय सदस्य : ऐसी बात नहीं है :

श्री म० ला० द्विवेदी : एक बार मैं बांदा में तीसरे दर्जे की गाड़ी में घुस गया। मेरे ऊपर सात सात आदमी चढ़े हुए थे। और न जाने मैं कैसे बचा। छ: औरतों का अपमान किया गया और उन के साथ दुर्व्यवहार किया गया। तीन यात्री मर गये। और कम से कम बीसियों घायल हो गये। लोग डंडा और बल्लम ले कर गाड़ी में घुसते हैं और उस समय टिकट चैकर और टिकट कलैक्टर की व्यवस्था समाप्त हो

[श्री म० ला० द्विवेदी]

जाती है। यह हालत चित्रकूट और बांदा के बीच में हर महीने पन्द्रहवें दिन हुआ करती है। चाहें तो रेल मंत्री इस की जांच कर सकते हैं। इस सैक्शन में अक्सर लड़के गाड़ी में घुस आते हैं और वे जगह जगह जंजीर खींच कर गाड़ी को रोक लेते हैं और किसानों की फसल को काट कर ले जाते हैं। यह गाड़ी बीस बाईस मील के बीच में कई बार रोकी जाती है। यह टना २६ जनवरी को है बांदा कानपुर सैक्शन पर।

अगर कभी मेरा फर्स्ट क्लास का रिजरवेशन नहीं हो पाता या कभी कार्यक्रम बदल जाने के कारण मुझे बिला रिजरवेशन यात्रा करनी पड़ती है तो मैं जनता गाड़ी में जाता हूं। उस में लेटने की तो क्या बैठने की जगह भी मुश्किल से मिलती है। जब इस व्यवस्था को सुधारने के लिये कहा जाता है तो कहा जाता है कि हमारे पास साधन नहीं हैं। आप ने एक किताब निकाली हैं "टुवार्ड्स् बैटर कंडीशन्स आफ ट्रेविल" उसके पेज २ पैरा २ में लिखा है :

> "As the resources that could be made available were not sufficient to effect any appreciable reduction in overcrowding . . ."

मैं इस बात को मानने के लिये तैयार नहीं हूं और न सदन इस बात को मानने के लिये तैयार है कि आप के पास साधन नहीं हैं कि आप तीसरे दर्जे में भीड़ भाड़ को कम कर सकें। आप अच्छे अच्छे प्लेटफार्म बना सकते हैं, पक्के से पक्के स्टेशनों को तोड़ कर उन की जगह बड़े बड़े स्टेशन बना सकते हैं, नये नये शैड बना सकते हैं। यह ठीक है कि ये चीजें यात्रियों की सुविधा के लिये हैं। लेकिन यह आप को मानना होगा कि यात्रियों को जो कष्ट भीड़ भाड़ के कारण होता है वह कहीं महान है और उस की ओर पहले ध्यान देना चाहिये था।

मैं मान नहीं सकता कि आप के पास साधन नहीं हैं। यदि साधन न होते तो जो आप जगह जगह दोहरी लाइन बिछा रहे हैं वह कैसे कर सकते। वह करना भी जरूरी है लेकिन यह भी देखना चाहिये कि कौन काम ज्यादा जरूरी है और किस वक्त करना चाहिये। यह नियम है कि एक अच्छी गृहणी अपने कमाने वाले पति को अच्छे से अच्छा भोजन खिलाती है। लेकिन रेलवे मंत्रालय रूपी जो औरत है वह अपने जनता जनार्दन रूपि पति को छोटे छोटे डिब्बों में बुरी तरह ठूंस ठूंस कर भेजना चाहती हैं और उनकी सुख सुविधा का कोई इन्तिजाम नहीं करना चाहती।

एक माननीय सदस्य : वह पवित्रता नहीं है।

श्री म० ला० द्विवेदी : मैं भी ऐसा ही समझता हूं। आप न तो तीसरे दर्जे की गाड़ियां बढ़ाते हैं और न गाड़ियों में तीसरे दर्जे के ज्यादा डिब्बे लगाते हैं। परिणाम यह होता है कि गाड़ियों में आदमी भूसे की तरह भरे जाते हैं और चूंकि और कोई जरिया नहीं है इस लिये यात्रियों को इस अवस्था में यात्रा करने के लिये मजबूर होना पड़ता है। बहुत से रह जाते हैं। चाहे गाड़ी में स्थान हो या न हो आप टिकट बराबर अन्धाधुन्ध बांटे जाते हैं। गाड़ियों में जगह न होने के कारण बहुत से यात्री बैठ नहीं सकते और पीछे रह जाते हैं।

मैं जापान गया। वहां पर दो दो मिनट पर गाड़ियां चलती हैं। जो बैठ जाते हैं वह चले जाते हैं और जो रह जाते हैं वह दो मिनट बाद चले जाते हैं। लेकिन यहां पर आपकी गाड़ियां आठ आठ घंटे के अन्तर से चलती हैं। इसलिये जो रह जाते हैं उन को बड़ा कष्ट होता है। आप गाड़ियों में फर्स्ट क्लास और एयर कंडीशन्ड डिब्बे तो काफी मात्रा में लगाते हैं। जिस का परिणाम यह होता है कि तीसरे दर्जे के केवल तीन चार डिब्बे लग पाते हैं। इस वजह से सैंकड़ों यात्री रह जाते हैं। उन का दिल खराब होता है, उन की भोजन का

अतिरिक्त व्यय करना पड़ता है और उनका सारा कार्यक्रम समाप्त हो जाता है। और रेलवे मंत्रालय इस पर विचार करने के लिये तैयार नहीं है।

सभापति महोदय : अभी आप कितना समय और लेंगे ?

श्री मा० ला० द्विवेदी : मैं दस पन्द्रह मिनट और लूंगा।

सभापति महोदय: तो आप फिर इसको आयन्दा जारी रखियेगा।

17 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Monday, April 23, 1962/Vaisakha 3, 1884 (Saka).

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(2) The Railway Accidents (Compensation) Rules, 1950 (As amended uptodate) under sub-section (3) of section 82J of the Indian Railways Act, 1890.

(3) The Railway Protection Force (Amndment) Rules, 1961 published in Notification No. G.S.R. 1432, dated the 2nd December, 1961 under sub-section (3) of section 21 of the Railway Protection Force Act, 1957.

(4) The Indian Maize (Temporary Use in Starch Manufacture) Order, 1962 published in Notification No. G.S.R. 462 dated the 5th April, 1962, under sub-section (6) of section 3 of the Essential Commodities Act, 1955.

(5) The Rice (Madhya Pradesh, Price Control (Third Amendment) Order, 1962 published in Notification No. G.S.R. 463 dated the 7th April, 1962, under sub-section (6) of section 3 of the Essential Commodities Act, 1955.

(6) The Rice (Punjab) Second Price Control (Second Amendment) Order, 1962 published in Notification No. G.S.R. 464 dated the 7th April, 1962 under sub-section (6) of section 3 of the Essential Commodities Act, 1955.

(7) The Rice (Southern Zone) Movement Control (Amendment)Order, 1962 published in Notification No. G.S.R. 463 dated 14th April, 1962 under sub-section (6) of Section 3 of the Essential Commodities Act, 1955.

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